

**SB 284 by Negron;** (Identical to H 0369) Student Safety

**SB 454 by Benacquisto;** (Similar to CS/H 0399) Florida College System Police Officers

745398	A	S	RCS	ED, Benacquisto	Delete L.36 - 68:	03/12 04:15 PM
--------	---	---	-----	-----------------	-------------------	----------------

**SB 514 by Sobel;** (Identical to H 0873) Public School Safety

**SB 626 by Bullard;** (Identical to CS/H 0609) Bullying in the Public School System

422942	PCS	S	RCS	ED		03/12 04:16 PM
889894	PCS:A	S	RCS	ED, Bullard	Delete L.30:	03/12 04:22 PM
670634	PCS:A	S	RCS	ED, Bullard	Delete L.43 - 59:	03/12 04:22 PM
133064	PCS:A	S	FAV	ED, Bullard	Delete L.119:	03/12 04:18 PM
709272	PCS:A	S	RCS	ED, Bullard	Delete L.234:	03/12 04:22 PM
882012	PCS:A	S	FAV	ED, Bullard	Delete L.251:	03/12 04:17 PM
400206	A	S	WD	ED, Bullard	Before L.25:	03/12 04:16 PM

**SB 680 by Evers;** (Compare to H 7057) Florida Bright Futures Scholarship Program

**SB 920 by Detert;** State University System

466020	PCS	S	RCS	ED		03/12 04:16 PM
--------	-----	---	-----	----	--	----------------

**SB 1720 by Galvano;** (Compare to H 7057) College Instruction

784732	A	S	RCS	ED, Galvano	Delete L.421 - 478:	03/12 04:16 PM
226584	A	S	RCS	ED, Legg	btw L.489 - 490:	03/12 04:23 PM
632350	A	S	RCS	ED, Montford	btw L.1096 - 1097:	03/12 04:23 PM
428328	T	S	RCS	ED, Galvano	In title, delete L.2:	03/12 04:23 PM

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**EDUCATION**  
**Senator Legg, Chair**  
**Senator Montford, Vice Chair**

**MEETING DATE:** Tuesday, March 12, 2013

**TIME:** 2:00 —4:30 p.m.

**PLACE:** *Pat Thomas Committee Room, 412 Knott Building*

**MEMBERS:** Senator Legg, Chair; Senator Montford, Vice Chair; Senators Benacquisto, Brandes, Bullard, Galvano, Sachs, Simmons, and Stargel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 284</b> Negron (Identical H 369)	Student Safety; Requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; requiring the emergency response agencies to notify private schools in the school district under certain circumstances, etc.  ED 03/12/2013 Favorable MS	Favorable Yeas 8 Nays 0
2	<b>SB 454</b> Benacquisto (Similar CS/H 399)	Florida College System Police Officers; Providing for mutual aid agreements involving Florida College System police officers; providing for enforcement of traffic laws in certain areas by Florida College System police officers; revising provisions relating to the jurisdictional authority of Florida College System police officers, etc.  ED 03/12/2013 Fav/CS CJ	Fav/CS Yeas 9 Nays 0
3	<b>SB 514</b> Sobel (Identical H 873, Compare H 1175)	Public School Safety; Citing this act as the "School Safety Act"; authorizing each county to create an independent special district by ordinance to provide funding for public school security and mental health services; requiring elector approval to annually levy ad valorem taxes; creating a governing council for the district; basing the size of the council on the population of the county, etc.  ED 03/12/2013 Favorable CA AFT AP	Favorable Yeas 7 Nays 1

**COMMITTEE MEETING EXPANDED AGENDA**

Education

Tuesday, March 12, 2013, 2:00 —4:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 626</b> Bullard (Identical H 609)	Bullying in the Public School System; Revising provisions prohibiting bullying or harassment of a student or school employee through the use of computer-related activities; providing that bullying includes cyberbullying; requiring that each school district include in its districtwide policy instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action, etc.  ED 03/12/2013 Fav/CS JU RC	Fav/CS Yeas 7 Nays 1
5	<b>SB 680</b> Evers (Compare H 7057, S 1720)	Florida Bright Futures Scholarship Program; Repealing provisions relating to student eligibility requirements for an initial award and each renewal award under the Florida Bright Futures Scholarship Program, etc.  ED 03/12/2013 Favorable AED AP RC	Favorable Yeas 8 Nays 0
6	<b>SB 920</b> Detert	State University System; Requiring tuition and fees assessed to an undergraduate student to remain constant and not exceed the rate assessed upon initial enrollment under specified circumstances, etc.  ED 03/12/2013 Fav/CS AED AP	Fav/CS Yeas 9 Nays 0
7	<b>SB 1720</b> Galvano (Compare H 7057, S 680, CS/S 1076)	College Instruction; Revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs, etc.  ED 03/12/2013 Fav/CS AED AP	Fav/CS Yeas 8 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Education

Tuesday, March 12, 2013, 2:00 —4:30 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
<b>State Board of Education</b>			
8	Bradshaw, Sara "Sally" S. (Havana)	12/31/2013	Recommend Confirm Yeas 8 Nays 0
<b>Board of Governors of the State University System</b>			
9	Levine, Alan M. (Naples)	01/06/2020	Recommend Confirm Yeas 8 Nays 0
<b>Board of Trustees, University of Florida</b>			
10	Corr, Christopher T. (Lake Lure)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
<b>Board of Trustees, University of North Florida</b>			
11	Pincomb, Myron W. (Ponte Vedra)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
<b>Board of Trustees, University of West Florida</b>			
12	Walton, Garrett W. (Pensacola)	01/06/2016	Recommend Confirm Yeas 8 Nays 0
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Other Related Meeting Documents			

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Education

---

BILL: SB 284

INTRODUCER: Negron

SUBJECT: Student Safety

DATE: March 12, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	<b>Favorable</b>
2.			MS	
3.				
4.				
5.				
6.				

---

**I. Summary:**

SB 284 establishes a process through which a private school can register to be notified at the same time the public school district is notified about an emergency occurrence in the local area that could threaten student safety.

The bill requires the agency responsible for notifying a school district for each type of emergency to be listed in each district school board's emergency response policy and model emergency management and emergency preparedness procedures. The emergency response agencies identified by a district school board must notify private schools within the school district of occurrences that threaten student safety if such private schools request notification of emergencies by opting into the district school board's emergency notification procedures. Currently, Florida law does not expressly authorize private schools to opt into district school board emergency notification procedures for the purpose of receiving emergency notifications.

The bill takes effect July 1, 2013.

The bill amends sections 1002.42 and 1006.07 of the Florida Statutes.

**II. Present Situation:**

Florida law requires each district school board to establish emergency response policies and model emergency management and emergency preparedness procedures. Emergency response policies must include procedures for responding to fires, natural disasters, and bomb threats. Additionally, district school board policies must include commonly used alarm system responses

for specific types of emergencies and verification by each school that emergency drills are provided in accordance with law and fire protection codes.<sup>1</sup>

District school boards must also establish model emergency management and preparedness procedures for weapon-use and hostage situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure resulting from manmade emergencies.<sup>2</sup>

Florida law does not expressly require that a district school board's emergency response policies and model emergency management and emergency preparedness procedures list the agencies responsible for notifying the school district regarding emergencies. However, cooperation with emergency response agencies is incorporated into the *District Safety and Security Best Practices*, a self-assessment tool that each school district must use to annually assess the effectiveness of a district school board's emergency response policies.<sup>3</sup> Among other "best practices," the self-assessment tool suggests that school districts:<sup>4</sup>

- Make arrangements to work with local emergency officials, including, without limitation, law enforcement; fire department; emergency management; hospital, mental health, health, and social services agencies; and court officials.
- Share comprehensive school safety plans and emergency procedures with appropriate emergency response agencies.
- Implement procedures for contacting all schools simultaneously in the event of a districtwide emergency.

Private schools' emergency response policies are not regulated by the state.<sup>5</sup> Private schools typically make arrangements to receive notification of emergencies from the appropriate emergency response agency. Despite such arrangements, private schools do not always receive notification of emergencies.<sup>6</sup> Florida law does not expressly authorize private schools to opt into district school board emergency notification procedures for the purpose of receiving notification of emergencies from an emergency response agency.<sup>7</sup>

---

<sup>1</sup> Section 1006.07(4)(a), F.S.

<sup>2</sup> Section 1006.07(4)(b), F.S.

<sup>3</sup> Section 1006.07(6), F.S.; Florida Department of Education, *2012 Safety and Security Best Practices (Year 11)*, <http://www.fldoe.org/EM/security-practices.asp> (last visited March 10, 2013). The Best Practices are developed by the Office of Program Policy Analysis and Government Accountability. Each district school superintendent must make recommendations to the district school board regarding strategies and activities to improve school safety and security based on the self-assessment results. The results of the self-assessment and any action by a district school board based on the district school superintendent's recommendations must be reported to the Commissioner of Education within 30 days after the district school board meeting. Section 1006.07(6), F.S.

<sup>4</sup> Florida Department of Education, *2012 Safety and Security Best Practices (Year 11)*, <http://www.fldoe.org/EM/security-practices.asp> (last visited March 10, 2013).

<sup>5</sup> Telephone interview with staff, Governmental Relations, Florida Department of Education (March 11, 2013).

<sup>6</sup> Telephone interview with the Executive Director, Florida Council of Independent Schools (March 7, 2013).

<sup>7</sup> See Section 1002.42, F.S.; see also Florida Department of Education, *2013 Agency Legislative Bill Analysis for SB 284* (Feb. 18, 2013).

**III. Effect of Proposed Changes:**

SB 284 requires the agency responsible for notifying a school district for each type of emergency to be listed in each district school board's emergency response policy and model emergency management and emergency preparedness procedures. The emergency response agencies identified by a district school board must notify private schools within the school district of occurrences that threaten student safety if such private schools request notification of emergencies by opting into the district school board's emergency notification procedures. The bill enables private schools to receive notification of emergencies on the same basis as district public schools.

**Other Potential Implications:****IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



By Senator Negrón

32-00517-13

2013284

A bill to be entitled

An act relating to student safety; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district under certain circumstances; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 1006.07, Florida Statutes, is amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

(a) Formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, and bomb threats, for all the public schools of the district which comprise grades K-12. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes. The emergency

Page 1 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

32-00517-13

2013284

response agency that is responsible for notifying the school district for each type of emergency must be listed in the district's emergency response policy.

(b) ~~The district school board shall~~ Establish model emergency management and emergency preparedness procedures, including emergency notification procedures pursuant to paragraph (a), for the following life-threatening emergencies:

1. Weapon-use and hostage situations.
2. Hazardous materials or toxic chemical spills.
3. Weather emergencies, including hurricanes, tornadoes, and severe storms.
4. Exposure as a result of a manmade emergency.

Section 2. Subsection (16) is added to section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(16) EMERGENCY PROCEDURES.—The emergency response agencies identified in a district school board's emergency response policy pursuant to s. 1006.07(4) which are responsible for notifying the school district of an occurrence that threatens student safety shall also notify private schools in the district that request such notification by opting into the district school board's emergency notification procedures.

Section 3. This act shall take effect July 1, 2013.

Page 2 of 2

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Mar. 12, 2013  
Meeting Date

Topic Student Safety Notices

Bill Number 284  
(if applicable)

Name James Herzog

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Associate Director for Education

Address 201 W Park Ave  
Street

Phone 850/222-3803

Tallahassee FL 32301  
City State Zip

E-mail jherzog@flcathconf.org

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida conference of Catholic Bishops

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/ SB 454

INTRODUCER: Education Committee and Senator Benacquisto

SUBJECT: Florida College System Police Officers

DATE: March 12, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Klebacha	ED	<b>Fav/CS</b>
2.			CJ	
3.				
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |  |   |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>                   | Technical amendments were recommended   |
|                              | <input type="checkbox"/>                   | Amendments were recommended             |
|                              | <input type="checkbox"/>                   | Significant amendments were recommended |

**I. Summary:**

CS/SB 454 expands the jurisdiction of Florida College System (FCS) institution police officers to enforce the law, consistent with the same authority that is provided to state university police officers. In particular, the bill authorizes college police officers to:

- Enforce laws within defined jurisdictional areas as agreed upon in a mutual aid agreement with another law enforcement agency;
- Enforce traffic laws when the violations occur within 1,000 feet of any college owned or controlled property or facilities;
- Enforce traffic laws beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.
- Arrest persons for violations of state law or applicable county or city ordinances if the violation occurs on or within 1,000 feet of college owned or controlled property or facilities;
- Arrest persons for violations of state law or applicable county or city ordinances beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000

feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.

The bill will take effect July 1, 2013.

CS/SB 454 amends ss. 23.1225, 316.640, and 1012.88, Florida Statutes.

## **II. Present Situation:**

The Florida Mutual Aid Act<sup>1</sup> establishes the state's policy for mutual aid agreements between law enforcement agencies in situations that cross jurisdictional lines. The law provides examples of law enforcement activities that may be addressed in a written agreement, including the authorization for school safety officers to enforce laws in an area within 1,000 feet of a school or school board property and for state university police officers to enforce laws within an agreed-upon area. The statute is silent regarding mutual aid agreements between college police and local law enforcement agencies.

Under s. 316.640(1)(a)1.c., F.S., relating to enforcement of traffic laws, police officers of a Florida College System institution may enforce all state traffic laws when violations occur on any property or facilities that are under the guidance, supervision, regulation or control of the Florida College System. This section provides the same authority for state university police officers but goes further to authorize hot pursuit activities when agreed upon in a mutual aid agreement with local law enforcement.

Section 1012.88, F.S., authorizes each Florida College System institution to employ police officers for that institution and requires that such officers be called "Florida College System institution police". FCS institution police may enforce laws and may arrest anyone for violations of law that occur on college property. All FCS police must meet minimum standards established by the Police Standards and Training Commission of the Florida Department of Law Enforcement.

According to the Department of Education, as of February 4, 2013, there were five Florida College System institutions with a police force: Pensacola State College, Tallahassee Community College, Santa Fe College, Miami Dade College, and Edison State College.<sup>2</sup>

## **III. Effect of Proposed Changes:**

CS/SB 454 aligns the jurisdictional authority of Florida College System institution police officers with the same statutory authorities established for state university police. Specifically, the bill authorizes FCS institution police officers to:

- Enforce laws within defined jurisdictional areas as agreed upon in a mutual aid agreement with another law enforcement agency;
- Enforce traffic laws when the violations occur within 1,000 feet of any college owned or controlled property or facilities;

---

<sup>1</sup> ch. 23, pt. I, F.S.

<sup>2</sup> Florida Department of Education bill analysis for SB 454, on file with the Senate Education Committee.

- Enforce traffic laws beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement;
- Arrest persons for violations of state law or applicable county or city ordinances if the violation occurs on, or within 1,000 feet of, college owned or controlled property, and or facilities;
- Arrest persons for violations of state law or applicable county or city ordinances beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education on March 12, 2013:**

The Committee Substitute provides consistent terminology to clarify that college police officers are employed by a Florida College System institution, not by the Florida College System.

- B. **Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



745398

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Benacquisto) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 36 - 68  
and insert:  
authorizing state university or Florida College System  
institution police officers to enforce laws within a specified  
jurisdictional area as agreed upon in a ~~the~~ voluntary  
cooperation written agreement, or establishing a joint city-  
county traffic enforcement task force.

Section 2. Paragraph (a) of subsection (1) of section  
316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of



745398

this state is vested as follows:

(1) STATE.—

(a)1.a. The Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; the Division of Law Enforcement of the Fish and Wildlife Conservation Commission; and the agents, inspectors, and officers of the Department of Law Enforcement each have authority to enforce all of the traffic laws of this state on all the streets and highways thereof and elsewhere throughout the state wherever the public has a right to travel by motor vehicle.

b. University police officers may enforce all of the traffic laws of this state when violations occur on or within 1,000 feet of any property or facilities that are under the guidance, supervision, regulation, or control of a state university, a direct-support organization of such state university, or any other organization controlled by the state university or a direct-support organization of the state university, or when such violations occur within a specified jurisdictional area as agreed upon in a mutual aid agreement entered into with a law enforcement agency pursuant to s. 23.1225(1). Traffic laws may also be enforced off-campus when hot pursuit originates on or within 1,000 feet of any such property or facilities, or as agreed upon in accordance with the mutual aid agreement.

c. Florida Community College System institution police officers may

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:





745398

42 Delete lines 2 - 9  
43 and insert:  
44 An act relating to Florida College System institution  
45 police officers; amending s. 23.1225, F.S.; providing  
46 for mutual aid agreements involving Florida College  
47 System institution police officers; amending s.  
48 316.640, F.S.; providing for enforcement of traffic  
49 laws in certain areas by Florida College System  
50 institution police officers; amending s. 1012.88,  
51 F.S.; revising provisions relating to the  
52 jurisdictional authority of Florida College System  
53 institution

By Senator Benacquisto

30-00476A-13

2013454

A bill to be entitled

An act relating to Florida College System police officers; amending s. 23.1225, F.S.; providing for mutual aid agreements involving Florida College System police officers; amending s. 316.640, F.S.; providing for enforcement of traffic laws in certain areas by Florida College System police officers; amending s. 1012.88, F.S.; revising provisions relating to the jurisdictional authority of Florida College System police officers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) of section 23.1225, Florida Statutes, is amended to read:

23.1225 Mutual aid agreements.—

(1) The term "mutual aid agreement," as used in this part, refers to one of the following types of agreement:

(a) A voluntary cooperation written agreement between two or more law enforcement agencies, which agreement permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines. The agreement must specify the nature of the law enforcement assistance to be rendered, the agency or entity that shall bear any liability arising from acts undertaken under the agreement, the procedures for requesting and for authorizing assistance, the agency or entity that has command and supervisory responsibility, a time limit for the agreement, the amount of any compensation or reimbursement to the assisting agency or entity, and any other

Page 1 of 6

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

30-00476A-13

2013454

terms and conditions necessary to give it effect. Examples of law enforcement activities that may be addressed in a voluntary cooperation written agreement include, but are not limited to, establishing a joint city-county task force on narcotics smuggling, authorizing school safety officers to enforce laws in an area within 1,000 feet of a school or school board property, authorizing state university or Florida College System police officers to enforce laws within a specified jurisdictional area as agreed upon in a ~~the~~ voluntary cooperation written agreement, or establishing a joint city-county traffic enforcement task force.

Section 2. Paragraph (a) of subsection (1) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(1) STATE.—

(a)1.a. The Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; the Division of Law Enforcement of the Fish and Wildlife Conservation Commission; and the agents, inspectors, and officers of the Department of Law Enforcement each have authority to enforce all of the traffic laws of this state on all the streets and highways thereof and elsewhere throughout the state wherever the public has a right to travel by motor vehicle.

b. University police officers may enforce all of the traffic laws of this state when violations occur on or within 1,000 feet of any property or facilities that are under the guidance, supervision, regulation, or control of a state university, a direct-support organization of such state

Page 2 of 6

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

30-00476A-13 2013454  
 59 university, or any other organization controlled by the state  
 60 university or a direct-support organization of the state  
 61 university, or when such violations occur within a specified  
 62 jurisdictional area as agreed upon in a mutual aid agreement  
 63 entered into with a law enforcement agency pursuant to s.  
 64 23.1225(1). Traffic laws may also be enforced off-campus when  
 65 hot pursuit originates on or within 1,000 feet of any such  
 66 property or facilities, or as agreed upon in accordance with the  
 67 mutual aid agreement.

68 c. Florida Community College System police officers may  
 69 enforce all the traffic laws of this state only when such  
 70 violations occur on or within 1,000 feet of any property or  
 71 facilities that are under the guidance, supervision, regulation,  
 72 or control of the Florida College System institution, or when  
 73 such violations occur within a specified jurisdictional area as  
 74 agreed upon in a mutual aid agreement entered into with a law  
 75 enforcement agency pursuant to s. 23.1225. Traffic laws may also  
 76 be enforced off-campus when hot pursuit originates on or within  
 77 1,000 feet of any such property or facilities, or as agreed upon  
 78 in accordance with the mutual aid agreement ~~community college~~  
 79 ~~system.~~

80 d. Police officers employed by an airport authority may  
 81 enforce all of the traffic laws of this state only when such  
 82 violations occur on any property or facilities that are owned or  
 83 operated by an airport authority.

84 (I) An airport authority may employ as a parking  
 85 enforcement specialist any individual who successfully completes  
 86 a training program established and approved by the Criminal  
 87 Justice Standards and Training Commission for parking

30-00476A-13 2013454  
 88 enforcement specialists but who does not otherwise meet the  
 89 uniform minimum standards established by the commission for law  
 90 enforcement officers or auxiliary or part-time officers under s.  
 91 943.12. This sub-sub-subparagraph may not be construed to permit  
 92 the carrying of firearms or other weapons, nor shall such  
 93 parking enforcement specialist have arrest authority.

94 (II) A parking enforcement specialist employed by an  
 95 airport authority may enforce all state, county, and municipal  
 96 laws and ordinances governing parking only when such violations  
 97 are on property or facilities owned or operated by the airport  
 98 authority employing the specialist, by appropriate state,  
 99 county, or municipal traffic citation.

100 e. The Office of Agricultural Law Enforcement of the  
 101 Department of Agriculture and Consumer Services may enforce  
 102 traffic laws of this state.

103 f. School safety officers may enforce all of the traffic  
 104 laws of this state when such violations occur on or about any  
 105 property or facilities that are under the guidance, supervision,  
 106 regulation, or control of the district school board.

107 2. An agency of the state as described in subparagraph 1.  
 108 is prohibited from establishing a traffic citation quota. A  
 109 violation of this subparagraph is not subject to the penalties  
 110 provided in chapter 318.

111 3. Any disciplinary action taken or performance evaluation  
 112 conducted by an agency of the state as described in subparagraph  
 113 1. of a law enforcement officer's traffic enforcement activity  
 114 must be in accordance with written work-performance standards.  
 115 Such standards must be approved by the agency and any collective  
 116 bargaining unit representing such law enforcement officer. A

30-00476A-13 2013454

violation of this subparagraph is not subject to the penalties provided in chapter 318.

4. The Division of the Florida Highway Patrol may employ as a traffic accident investigation officer any individual who successfully completes instruction in traffic accident investigation and court presentation through the Selective Traffic Enforcement Program as approved by the Criminal Justice Standards and Training Commission and funded through the National Highway Traffic Safety Administration or a similar program approved by the commission, but who does not necessarily meet the uniform minimum standards established by the commission for law enforcement officers or auxiliary law enforcement officers under chapter 943. Any such traffic accident investigation officer who makes an investigation at the scene of a traffic accident may issue traffic citations, based upon personal investigation, when he or she has reasonable and probable grounds to believe that a person who was involved in the accident committed an offense under this chapter, chapter 319, chapter 320, or chapter 322 in connection with the accident. This subparagraph does not permit the officer to carry firearms or other weapons, and such an officer does not have authority to make arrests.

Section 3. Subsection (2) of section 1012.88, Florida Statutes, is amended to read:

1012.88 Florida College System institution police.—

(2) Each Florida College System institution police officer is a law enforcement officer of the state and a conservator of the peace who has the authority to arrest, in accordance with the laws of this state, any person for a violation of state law

30-00476A-13 2013454

or applicable county or municipal ordinance if that violation occurs on or in any property or facilities or within 1,000 feet of any property of the Florida College System institution by which he or she is employed or any property or facilities of a direct-support organization of such Florida College System institution or any other organization controlled by the Florida College System institution, or when such violations occur within a specified jurisdictional area as agreed upon in a mutual aid agreement entered into with a law enforcement agency pursuant to s. 23.1225. A Florida College System institution police officer may also arrest a person off campus for a violation committed on campus after a hot pursuit of that person that began on or within 1,000 feet of any such property or facilities. A Florida College System institution police officer may bear arms in the performance of his or her duties and carry out a search pursuant to a search warrant on the campus where he or she is employed. Florida College System institution police, upon request of the sheriff or local police authority, may serve subpoenas or other legal process and may make arrests of persons against whom arrest warrants have been issued or against whom charges have been made for violations of federal or state laws or county or municipal ordinances.

Section 4. This act shall take effect July 1, 2013.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12 Mar. 2013

Meeting Date

Topic Mutual Aid Agreements

Bill Number 454  
(if applicable)

Name Matthew Holliday

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Director, Governmental Relations

Address 8099 College Parkway  
Street

Phone 239-826-7864

Ft. Myers, FL 33919  
City State Zip

E-mail mholliday@edison.edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Edison State College

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Appropriations, *Vice Chair*  
Appropriations Subcommittee on Education  
Appropriations Subcommittee on Health  
and Human Services  
Banking and Insurance  
Education  
Ethics and Elections  
Gaming  
Governmental Oversight and Accountability  
Rules

## SENATOR LIZBETH BENACQUISTO

*Majority Leader*  
30th District

March 12, 2013

The Honorable John Legg  
Senate Education, Chair  
316 Senate Office Building  
418 South Monroe Street  
Tallahassee, FL 32399

### RE: SB 454 – Relating to Florida State College System Police

Dear Mr. Chairman:

Please allow this letter to serve as my respectful request to allow my legislative assistant, Dane Bennett, present SB 454 on my behalf this afternoon.

Your kind consideration of this request is greatly appreciated. Please feel free to contact my office for any additional information.

Sincerely,



Lizbeth Benacquist  
Senate District 30

Cc: Theresa Klebacha

#### REPLY TO:

- ☐ 1926 Victoria Ave, 2nd Floor, Fort Myers, Florida 33901 (239) 338-2570
- ☐ 330 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5030

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Education

---

BILL: SB 514

INTRODUCER: Senator Sobel

SUBJECT: Public School Safety

DATE: March 12, 2013

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Hand	Klebacha	ED	<b>Favorable</b>
2. _____	_____	CA	_____
3. _____	_____	AFT	_____
4. _____	_____	AP	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

---

**I. Summary:**

SB 514 creates the School Safety Act to authorize a county to create an independent special district by ordinance to identify and assess the security and mental health referral needs of all schools served by the school board.

Funding would be through an annual ad valorem tax of up to 0.5 mills, if approved by a majority of the electors in the county voting in a referendum held for that purpose. Funds collected are intended to be used to support improvements in services for county schools and students, rather than a substitute for existing resources or resources that would otherwise be available for security and mental health referral needs.

The effective date of the bill is July 1, 2013.

This bill creates an undesignated section of law.

**II. Present Situation:**

**School Safety and Security**

There are numerous provisions of law relating to school safety and security for public schools, including the following:

## **Emergency Preparedness**

Florida law requires each district school board to establish emergency response policies and model emergency management and preparedness procedures. Emergency response policies and procedures include responding to fires, natural disasters, bomb threats, weapon-use and hostage situations, hazardous materials or toxic chemical spills, and weather emergencies.<sup>1</sup>

School district cooperation with emergency response agencies is incorporated into the Safety and Security Best Practices, a self-assessment tool that each school district must use to annually assess the effectiveness of district emergency response policies.<sup>2</sup>

## **School Safety Zones**

A “school safety zone” is defined as being in, on, or within 500 feet of real property owned by or leased to any public or private elementary, middle, or high school or school board which is used for elementary, middle, or high school education.<sup>3</sup> Principals are required to notify law enforcement to prohibit persons who have no legitimate business or any other authorization from loitering in a school safety zone.<sup>4</sup>

## **Zero Tolerance Policies**

School districts are required to have zero tolerance policies.<sup>5</sup> However, cooperative agreements between the school district and local law enforcement do not require school districts to report petty misconduct and misdemeanors to law enforcement.<sup>6</sup>

## **Mental Health Referrals**

Some components relating to mental health referrals and associated services include the following:

## **School Health Services**

The Department of Health, in conjunction with the Department of Education, supervises the administration of the school health services program.<sup>7</sup> Each county health department develops a school health services plan in conjunction with the school board and health advisory committee. The district school board must include health services and health education as part of the comprehensive plan for the school district, make physical facilities available for health services, and provide to parents information concerning ways to help children be physically active and practice healthy eating.<sup>8</sup>

---

<sup>1</sup> s. 1006.07(4), F.S.

<sup>2</sup> s. 1006.07(6), F.S.

<sup>3</sup> s. 810.0975(1), F.S.

<sup>4</sup> s. 810.0975(2)(a), F.S.

<sup>5</sup> s. 1006.13(1), F.S.

<sup>6</sup> s. 1006.13(4)(c), F.S.

<sup>7</sup> s. 381.0056(3), F.S.

<sup>8</sup> s. 381.0056(6), F.S.



### **Exceptional Education**

Federal law requires states to make a free appropriate public education available to all children with disabilities residing in the state between the ages of 3 and 21, including children with disabilities who have been suspended or expelled from school.<sup>9</sup> District school boards are responsible for ensuring mental health services are provided for those exceptional education students who require such services to benefit from education.<sup>10</sup>

### **Medicaid School Funding**

Each school district is authorized to certify funds provided for a category of required Medicaid “school-based services,” which are reimbursable under the federal Medicaid program. Such services must include physical, occupational, and speech therapy services, behavioral health services, mental health services, transportation services, and Early Periodic Screening, Diagnosis, and Treatment (EPSDT) administrative outreach and services.<sup>11</sup>

The Agency for Health Care Administration is responsible for monitoring compliance of each participating school district with Medicaid provider agreements. In addition, the Agency for Health Care Administration must develop standardized recordkeeping procedures for the school districts that meet Medicaid requirements for audit purposes.<sup>12</sup>

### **Multiagency Services for Severely Emotionally Disturbed Students**

Students who are severely emotionally disturbed are eligible for an intensive, integrated educational program, a continuum of mental health treatment services, and, when needed, residential services necessary to enable students to develop appropriate behaviors and demonstrate academic and career education skills.<sup>13</sup> Multiagency programs are required to provide access to appropriate services for all students with a severe emotional disturbance.<sup>14</sup> District school boards are responsible for providing educational programs, while state agencies administering children’s mental health funds provide mental health treatment and residential services when needed.<sup>15</sup>

## **III. Effect of Proposed Changes:**

### **Creation and Funding of District**

The bill authorizes counties to create an independent special district to provide countywide school security and mental health referral services. Upon county adoption of the ordinance creating the district, the county would place on the ballot the question of levying ad valorem taxes at a rate of up to 0.5 mills to fund the district. The tax must be approved by a majority of the electors of the county voting in a referendum held for such purpose.

---

<sup>9</sup> 20 U.S.C. § 1400 et. seq., as amended by P.L. 108-446.

<sup>10</sup> s. 1001.42(8), F.S.

<sup>11</sup> s. 1011.70(1), F.S.

<sup>12</sup> s. 1011.70(2), F.S.

<sup>13</sup> s. 1006.04(1)(a), F.S.

<sup>14</sup> *Id.* See s. 394.495, F.S., which requires that the local child and adolescent mental health system of care include the local educational multiagency network under s. 1006.04, F.S.

<sup>15</sup> *Id.*

Depending on the size of the county, the district would be governed by a council consisting of a statutorily prescribed number of: county commissioners (appointed by the board of county commissioners); school board members (appointed by the county school board); an elected member of the governing body of the largest municipality within the county (appointed by the municipality mayor); and county legislative delegations (appointed by the chair of the delegation, with assent of the delegation) serving as ex officio members.

### **Transparency and Accountability**

The district is required to:

- Provide an annual written report to the school board and board of county commissioners;
- Prepare and file with the county governing body a financial report within ten days after the expiration of each annual quarter; and
- Prepare a tentative annual budget and compute a proposed millage rate (up to 0.5 mills) as necessary.

The bill also specifies the following governing requirements:

- After the budget is certified and delivered to the county governing body, the budget may not be changed or modified by the governing body or any other authority;
- Withdrawal of moneys received by the district may only be by checks signed by the chair of the council and countersigned by one other council member or by a chief executive officer authorized by the council;
- The chair and other member of the council or chief executive officer authorized to sign checks must each file a surety bond conditioned upon the faithful discharge of his or her office. The premium on the bond may be paid by the district as part of the expenses of the council;
- Governing members serve without compensation, but are entitled to reimbursement for per diem and travel expenses;
- The council may not require any service provider to provide additional matching funds as a condition of providing district services or programs to schools and students; and
- Two or more districts may enter into a cooperative agreement to share administrative costs and seek grants, accept donations, or jointly fund programs serving multicounty areas.

### **Security and Mental Health Related Duties and Responsibilities**

The bill requires the council to identify and assess the security and mental health referral needs of all schools served by the school board, including the following:

- Collecting information and statistical data to use in determining the needs of security and mental health referral services within schools operated by the school board;
- Determining the funding sources; and
- Developing a strategy for interagency coordination that maximizes existing human and fiscal resources.

Additionally, the bill authorizes the council to:

- Seek grants from state, federal, and local agencies and accept donations of monies or properties from public and private sources;
- Consult with other agencies that provide security and mental health referral services to schools operated by the school board; and
- Collect information, conduct research, and provide and maintain services needed for the safety of the schools and students.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

The bill establishes authority for an annual ad valorem tax of up to 0.5 mills if approved by a majority of the electors in the county voting in a referendum held for that purpose.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

By Senator Sobel

33-00443-13

2013514

1 A bill to be entitled  
 2 An act relating to public school safety; providing a  
 3 short title; authorizing each county to create an  
 4 independent special district by ordinance to provide  
 5 funding for public school security and mental health  
 6 services; requiring elector approval to annually levy  
 7 ad valorem taxes; requiring the district to comply  
 8 with statutory requirements related to levying and  
 9 fixing millage and filing financial or compliance  
 10 reports; providing for the dissolution of the  
 11 district; requiring the governing body of the county  
 12 to periodically submit to the electorate the question  
 13 of retention or dissolution of the district; creating  
 14 a governing council for the district; basing the size  
 15 of the council on the population of the county;  
 16 specifying criteria for council membership; providing  
 17 terms of office; requiring the council to appoint a  
 18 chair and vice chair and elect other officers;  
 19 providing procedures for filling a vacancy on the  
 20 council; requiring council members to serve without  
 21 compensation; requiring members to follow certain  
 22 financial disclosure, noticing, and reporting  
 23 procedures; specifying the powers and functions of the  
 24 council; authorizing two or more districts to enter  
 25 into cooperative agreements; requiring the district to  
 26 provide an annual report to the school board and  
 27 county governing body; providing for the content of  
 28 the report; requiring the council to prepare a  
 29 tentative annual budget and compute a millage rate to

Page 1 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00443-13

2013514

30 fund the district; requiring that all tax moneys  
 31 collected be paid directly to the council by the  
 32 county tax collector and be deposited in qualified  
 33 public depositories; requiring certain members to file  
 34 a surety bond; specifying expenditures of funds;  
 35 requiring the council to prepare and file quarterly  
 36 financial reports with the county governing body;  
 37 prohibiting the council from requiring certain  
 38 matching funds; providing that all district financial  
 39 records be subject to audit; providing legislative  
 40 intent with respect to the use of funds collected by  
 41 the council; providing an effective date.  
 42  
 43 Be It Enacted by the Legislature of the State of Florida:  
 44  
 45 Section 1. This act may be cited as the "School Safety  
 46 Act."  
 47 Section 2. School Safety Act.—  
 48 (1) SPECIAL DISTRICT.—Each county may, by ordinance, create  
 49 an independent special district, as defined in s. 189.403,  
 50 Florida Statutes, to provide countywide school security and  
 51 mental health referral services. The boundaries of such district  
 52 must be coterminous with the boundaries of the county.  
 53 (a) Upon adoption of the ordinance creating the district,  
 54 the governing body of the county enacting the ordinance shall  
 55 place on the ballot the question of levying ad valorem taxes at  
 56 a rate of up to 0.5 mills of assessed valuation of all  
 57 properties subject to ad valorem taxes within the county, which  
 58 shall be used to fund the district. The tax must be approved by

Page 2 of 12

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

33-00443-13 2013514

a majority of the electors of the county voting in a referendum held for such purpose. The ballot for the referendum must conform to s. 101.161, Florida Statutes.

(b) A district created under this section shall:

1. Levy and fix millage as provided in s. 200.065, Florida Statutes.

2. Maintain the same fiscal year as the county.

3. Comply with all other statutory requirements of general application which relate to the filing of any financial or compliance reports required under part III of chapter 218, Florida Statutes, or any other report or documentation required by law, including the requirements of ss. 189.415, 189.417, and 189.418, Florida Statutes.

(c) The district may be dissolved by special act of the Legislature, or the county governing body may, by ordinance, dissolve the district subject to approval by a majority of the electors in the county voting on the issue. The district may also be dissolved pursuant to s. 189.4042, Florida Statutes. Before dissolving the district, the county shall obligate itself to assume the debts, liabilities, contracts, and outstanding obligations of the district within the total millage available to the county for all county and municipal purposes as provided under s. 9, Article VII of the State Constitution.

(d) A referendum by the electorate creating the district may specify that the district is not subject to reauthorization or may specify the number of years the initial authorization remains effective. If the referendum does not prescribe terms of reauthorization, the governing body of the county shall submit the question of retention or dissolution to the electorate in

33-00443-13 2013514

the general election 12 years after the initial authorization.

1. The district council may specify, and submit to the governing body of the county within 9 months before the scheduled election, that the district is not subject to reauthorization or may specify the number of years for which reauthorization remains effective. If the district council makes such specification and submission, the governing body of the county shall include that information in the question submitted to the electorate. If the district council does not specify and submit such information, the governing body of the county shall resubmit the question of reauthorization to the electorate every 12 years after the prior authorization. The district council may recommend to the governing body of the county language for the question submitted to the electorate.

2. This paragraph does not preclude the district council from requesting that the governing body of the county submit the question of retention or dissolution of a district with voter-approved taxing authority to the electorate at an earlier date.

3. This paragraph does not limit authority to dissolve a district as provided under paragraph (c).

(e) This section does not prohibit a county from exercising such power as is provided by general or special law to provide or fund safety services for public schools.

(2) COUNCIL MEMBERSHIP.—

(a) If the county has a population of fewer than 100,000 according to the latest state census, the district shall be governed by a 7-member council consisting of:

1. Two members who are county commissioners, appointed by the board of county commissioners.

33-00443-13

2013514

117 2. Two members who are school board members, appointed by  
 118 the county school board.

119 3. One member, who is an elected member of the governing  
 120 body of the largest municipality within the county, appointed by  
 121 the mayor of the municipality.

122 4. Two elected members of the county legislative  
 123 delegation, appointed by the chair of the delegation with the  
 124 assent of the delegation. Such members must be state senators or  
 125 state representatives in districts in which 50 percent or more  
 126 of the district lies within the county. Such members shall be ex  
 127 officio members and shall participate in all council matters but  
 128 may not vote on any binding resolution, motion, or matter that  
 129 relates to levying ad valorem taxation or assessments that may  
 130 be considered by the council.

131 (b) If the county has a population of 100,000 but fewer  
 132 than 600,000 according to the last state census, the district  
 133 shall be governed by a 9-member council consisting of:

134 1. Three members who are county commissioners, appointed by  
 135 the board of county commissioners.

136 2. Three members who are school board members, appointed by  
 137 the county school board.

138 3. One member, who is an elected member of the governing  
 139 body of the largest municipality within the county who shall be  
 140 appointed by the mayor of the municipality.

141 4. Two elected members of the county legislative  
 142 delegation, appointed by the chair of the delegation with the  
 143 assent of the delegation. Such members must be state senators or  
 144 state representatives in districts in which 50 percent or more  
 145 of the district lies within the county. Such members shall be ex

33-00443-13

2013514

146 officio members and shall participate in all council matters but  
 147 may not vote on any binding resolution, motion, or matter that  
 148 relates to levying ad valorem taxation or assessments that may  
 149 be considered by the council.

150 (c) If the county has a population equal to or greater than  
 151 600,000 according to the last state census, the district shall  
 152 be governed by an 11-member council consisting of:

153 1. Three members who are county commissioners, appointed by  
 154 the board of county commissioners.

155 2. Three members who are school board members, appointed by  
 156 the county school board.

157 3. Three members, who are elected members of the governing  
 158 body of the three municipalities within the county who shall be  
 159 appointed by the county League of Cities, or any similar  
 160 successor organization.

161 4. Two elected members of the county legislative  
 162 delegation, appointed by the chair of the delegation with the  
 163 assent of the delegation. Such members must be state senators or  
 164 state representatives in districts in which 50 percent or more  
 165 of the district lies within the county. Such members shall be ex  
 166 officio members and shall participate in all council matters but  
 167 may not vote on any binding resolution, motion, or matter that  
 168 relates to levying ad valorem taxation or assessments that may  
 169 be considered by the council.

170 (d) The members shall be appointed to 4-year terms and may  
 171 be reappointed for one additional term of office. The length of  
 172 the terms of the initial appointees shall be adjusted to stagger  
 173 the terms.

174 (e) Immediately after appointment, the members shall elect

33-00443-13 2013514

a chair and vice chair from among its members and elect other officers as deemed necessary by the council.

(f) If any council member resigns, dies, or is removed from office for cause, the vacancy shall be filled using the same method as the original appointment, and the new member shall be appointed for the remainder of the unexpired term.

(g) Members of the council shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses in accordance with s. 112.061, Florida Statutes.

(h) The applicable financial disclosure, noticing, and reporting requirements of the council are those of their respective elected offices. The applicable financial disclosure, noticing, and reporting requirements of other officers and employees shall be the same as corresponding municipal positions.

(3) COUNCIL DUTIES.—

(a) The council shall:

1. Make and adopt bylaws and rules for the council's guidance, operation, governance, and maintenance. Such rules must be consistent with federal or state laws or county ordinances.

2. Arrange for and provide training and orientation to all new members sufficient to allow them to perform their duties.

3. Immediately after the members are appointed and the officers are elected, identify and assess the security and mental health referral needs of all schools served by the school board. This includes, but is not limited to:

a. Collecting information and statistical data that will be helpful to the council in determining the needs of security and

33-00443-13 2013514

mental health referral services within schools operated by the school board.

b. Determining the manner in which the council will seek and provide funding for needs.

c. Developing a strategy that will be used for interagency coordination to maximize existing human and fiscal resources.

4. Consult with other agencies providing security and mental health referral services to schools operated by the school board.

5. Seek grants from state, federal, and local agencies and accept donations of moneys or properties from public and private sources.

6. Lease or buy such real estate, equipment, and personal property and construct such buildings as are needed to execute the foregoing powers and duties. Purchases or building may not be done except with funds on hand or secured by funds deposited in financial institutions. This section does not authorize issuance of bonds of any nature.

7. Sell or dispose of property or properties owned by the district for fair market value.

8. Maintain minutes of each meeting, including a record of all votes cast, and make the minutes available to any interested person.

9. Employ, pay, and provide benefits for any part-time or full-time personnel needed to carry out the powers, functions, and duties of the district.

10. Have all powers necessary and expedient to carry out the duties and functions described in this section.

(b) The council may:



33-00443-13

2013514

1. Collect information and statistical data and conduct research and assessments that are helpful to the council and the county in determining the safety needs of county schools and students.

2. Consult and coordinate with other agencies providing mental health services in order to prevent the duplication of services.

3. Provide and maintain in the county the services which the council determines are needed for the safety of the schools and students, which may include:

a. Providing funding for all necessary school security for all schools operated directly by the school board.

b. Providing mental health referral services for all students and staff within schools operated by the school board.

c. Allocating and providing funds to other agencies that provide services.

(c) Two or more districts may enter into a cooperative agreement to:

1. Share administrative costs, including staff and office space if a more efficient or effective operation will result. The cooperative agreement must include provisions for apportioning costs between the districts, keeping separate and distinct financial records for each district, and resolving any conflicts that might arise under the agreement.

2. Seek grants, accept donations, or jointly fund programs serving multicounty areas. The cooperative agreement must include provisions for the adequate accounting of separate and joint funds.

(4) ANNUAL REPORT.—The district shall provide an annual

33-00443-13

2013514

written report, to be presented by January 1, to the school board and the board of county commissioners. At a minimum, the report must include:

(a) Detailed information on the various activities, programs, and services available to schools, staff, and students and the degree to which the programs, services, and activities have been successfully used.

(b) Information on the effectiveness of programs, services, and activities offered by the district, including cost effectiveness.

(c) A detailed anticipated budget for continuation of programs, services, or activities offered by the district, and a list of all sources of funding, both public and private.

(d) Procedures for identification of at-risk school children or staff who need additional or continued mental health services and methods for ensuring that the additional or continued services are received.

(e) Information on programs, services, and activities that should be eliminated; programs, services, and activities that should be continued; and programs, services, and activities that should be added to the district's basic format.

(f) A description of the degree to which the district's objectives and activities are consistent with the goals of this section.

(5) DISTRICT BUDGET AND FINANCIAL MATTERS.—

(a) On or before July 1 of each year, the council shall, pursuant to s. 189.418, Florida Statutes, prepare a tentative annual budget of the district's expected income and expenditures, including a contingency fund. In addition, the

33-00443-13 2013514

council shall compute a proposed millage rate of up to 0.5 mills of assessed value, as necessary to fund the tentative budget. The council must comply with s. 200.065, Florida Statutes.

(b) After the district's budget is certified and delivered to the county governing body, the budget may not be changed or modified by the governing body or any other authority.

(c) As soon after collection as is reasonably practicable, all taxes collected under this section shall be paid directly to the district by the county's revenue-collection entity.

(d) All moneys received by the district shall be deposited into qualified public depositories, as defined in s. 280.02, Florida Statutes, with separate and distinguishable accounts established specifically for the district, and may be withdrawn only by checks signed by the chair of the council and countersigned by one other council member or by a chief executive officer authorized by the council.

1. Upon taking office, the chair and the other member of the council or chief executive officer authorized to sign checks shall each file a surety bond in the sum of at least \$1,000 for each \$1 million, or portion of such amount, of the district's annual budget, which shall be conditioned upon the faithful discharge of the duties of his or her office. The premium on such bond may be paid by the district as part of the expenses of the council. Other members of the council are not required to give bond or other security.

2. Funds of the district may not be expended except by check, except for expenditures of up to \$100, which may be made from a petty cash account. All expenditures from petty cash must be recorded on the books and records of the council. District

33-00443-13 2013514

funds, except expenditures from petty cash, may not be expended without prior approval of the council, in addition to the budgeting of such funds.

(e) Within 10 business days after the expiration of each annual quarter, the council shall prepare and file with the county governing body a financial report that includes:

1. The council's total expenditures for the quarter.

2. The council's total receipts during the quarter.

3. A statement of the funds the council has on hand, has invested, or has deposited at the end of the quarter.

4. The council's total administrative costs for the quarter.

(f) The council may not require any service provider to provide additional matching funds as a condition of providing district services or programs to schools and students.

(g) All financial records and accounts relating to the district shall be available for audit by state auditors as they are assigned from time to time to audit the affairs of the county. If no annual audit of the district is conducted by the state, the council shall cause an independent audit of the district to be conducted.

(h) It is the intent of the Legislature that the funds collected pursuant to this section be used to support improvements in services for county schools and students and that such funds not be used as a substitute for existing resources or for resources that would otherwise be available for such services.

Section 3. This act shall take effect July 1, 2013.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03-12-2013

*Meeting Date*

Topic PUBLIC SCHOOL SAFETY

Bill Number 514  
*(if applicable)*

Name ERIK EAGAN

Amendment Barcode \_\_\_\_\_  
*(if applicable)*

Job Title LIEUTENANT

Address 123 W. INDIANA AVE

Phone \_\_\_\_\_

*Street*

DELAND

*City*

FL

*State*

32720

*Zip*

E-mail \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

Representing FLORIDA SHERIFFS ASSOCIATION

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/12/2013

Meeting Date

Topic Public Safety in Schools

Bill Number 514  
(if applicable)

Name Matt Puckett

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title lobbyist

Address 300 East Brevard St.

Phone \_\_\_\_\_

Street

Tallahassee

City

FL

State

32301

Zip

E-mail \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Police Benevolent Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)



889894

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment**

Delete line 30  
and insert:  
"Imagine Shetterria Elliot Act."



670634

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment**

Delete lines 43 - 59

and insert:

institution; ~~or~~

(c) Through the use of data or computer system software that is accessed through a computer, computer system, or computer network of a public K-12 educational institution which is physically located on the property of the educational institution, at the site of any school-related or school-sponsored program or activity conducted by the educational institution, or on a school bus of a public K-12 educational institution; or



670634

14       (d) If the bullying, cyberbullying, or harassment creates,  
15 or if it is reasonably foreseeable that it could create,  
16 material and substantial interference with or disruption of:

17       1. The operation of a school, an education program or  
18 activity conducted by a public K-12 educational institution, or  
19 a school-related or school-sponsored program or activity,  
20 including, but not limited to, field trips, extracurricular  
21 activities, or transit on a school bus of a public K-12  
22 educational institution for any of the actions under this  
23 subparagraph; or

24       2. A student's ability to be safe and secure during school,  
25 an education program or activity conducted by a public K-12  
26 educational institution, or a school-related or school-sponsored  
27 program or activity, including, but not limited to, field trips,  
28 extracurricular activities, or transit on a school bus of a  
29 public K-12 educational institution for any of the actions under  
30 this subparagraph.



133064

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment**

Delete line 119  
and insert:  
act of bullying, cyberbullying, or harassment. Reporting an act  
of bullying, cyberbullying, or





709272

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment**

Delete line 234  
and insert:  
that the district will discipline a person who violates this



882012

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment**

Delete line 251  
and insert:  
policy. The definitions in s. 815.03 apply to this section.



422942

581-02142-13

Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to bullying in the public school system; providing a short title; amending s. 1006.147, F.S.; prohibiting cyberbullying in schools and during school-related activities; expanding the circumstances under which bullying or harassment of any student or employee of a public K-12 institution is prohibited; revising the definition of the term "bullying" to include emotional pain or discomfort; defining the term "cyberbullying"; revising the definition of the term "harassment"; requiring each school district to incorporate a prohibition on cyberbullying into its policy on bullying and harassment; requiring that such policy mandate that computers without web-filtering software or computers with web-filtering software disabled be used when investigating complaints of cyberbullying; requiring that school district policies prohibiting bullying, cyberbullying, and harassment address how to identify and respond to behavior that leads to such conduct; requiring that the model policy of the Department of Education include a prohibition on cyberbullying by a certain date and that such policy be included in the code of student conduct; updating fiscal years regarding the distribution of safe school funds; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:



422942

581-02142-13

Section 1. SHORT TITLE.—This act may be cited as the "Imagine Act."

Section 2. Section 1006.147, Florida Statutes, is amended to read:

1006.147 Bullying and harassment prohibited.—

(1) This section may be cited as the "Jeffrey Johnston Stand Up for All Students Act."

(2) Bullying, cyberbullying, or harassment of any student or employee of a public K-12 educational institution is prohibited:

(a) During any education program or activity conducted by a public K-12 educational institution;

(b) During any school-related or school-sponsored program or activity or on a school bus of a public K-12 educational institution; or

(c) Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 educational institution which is physically located on the property of the educational institution or at the site of any school-related or school-sponsored program or activity conducted by the educational institution.

(d) If the bullying, cyberbullying, or harassment creates, or if it is reasonably foreseeable that it could create, material and substantial interference with, or disruption of, a student's ability to be safe and secure during school or a school-related or school-sponsored program or activity, including, but not limited to, field trips, extracurricular activities, or transit on a school bus of a public K-12



422942

581-02142-13

educational institution for a school-related or school-sponsored program or activity.

(3) For purposes of this section:

(a) "Bullying" means systematically and chronically inflicting physical hurt or psychological distress on one or more students or school employees. Incidents of bullying and may involve, but are not limited to:

1. Teasing;
2. Social exclusion;
3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, religious, or racial harassment;
9. Public Humiliation; or
10. Emotional pain or discomfort; or
11. Destruction of property.

(b) "Cyberbullying" means bullying or harassment that is related to computers, as described in s. 815.03, or that otherwise occurs through the use of technology or electronic communications, including, but not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, or other transmission or medium such as electronic mail, text messaging, instant messaging, social media, Internet communications, or facsimile communications. Cyberbullying may involve, but is not limited to:



422942

581-02142-13

1. Harassment and cyberstalking, as defined in s. 784.048.

2. Creating a web page on which, or a weblog in which, the creator assumes the identity of another person, or knowingly impersonates another person, while posting content or sending messages.

3. Electronically sharing or distributing material and communications to more than one person or posting material on one or more electronic media that may be accessed by one or more persons.

(c)(b) "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee which that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;

2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits;

3. As provided in s. 784.048(1)(a), serves no legitimate purpose and causes substantial emotional distress to a student or a school employee; or

4. Has the effect of materially and substantially disrupting or interfering with the orderly operation of a school or the ability of a student to be safe and secure at a school or at a school-sponsored event.

(c) Definitions in s. 815.03 and the definition in s. 784.048(1)(d) relating to stalking are applicable to this section.

(d) The definitions of "bullying," "cyberbullying,"



422942

581-02142-13

"bullying" and "harassment" include:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

2. Perpetuation of bullying, cyberbullying, or harassment ~~conduct listed in paragraph (a) or paragraph (b)~~ by an individual or group of individuals with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:

a. Incitement or coercion;

b. Accessing or knowingly causing or providing access to data or computer software through a computer, computer system, ~~or computer network, or other computer-related means described~~ in s. 815.03 ~~within the scope of the district school system;~~ or

c. Acting in a manner that has an effect substantially similar to the effect of bullying, cyberbullying, or harassment.

(4) By December 1, 2008, each school district shall adopt a policy prohibiting bullying and harassment of any student or employee of a public K-12 educational institution. By December 1, 2013, each school district shall incorporate into such policy a prohibition on cyberbullying of any student or employee of a public K-12 educational institution. Each school district's policy must substantially conform ~~shall be in substantial conformity~~ with the Department of Education's model policy mandated in subsection (5). The school district bullying, cyberbullying, and harassment policy must provide ~~shall afford~~ all students the same protection regardless of their status



422942

581-02142-13

under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

(a) A statement prohibiting bullying, cyberbullying, and harassment.

(b) Definitions ~~A definition~~ of bullying, cyberbullying, and ~~a definition of~~ harassment which ~~that~~ include the definitions listed in this section.

(c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.

(d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying, cyberbullying, or harassment.

(e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying, cyberbullying, or harassment.

(f) A procedure for reporting an act of bullying, cyberbullying, or harassment, including provisions that authorize ~~permit~~ a person to anonymously report such an act.



422942

581-02142-13

174 However, this paragraph does not ~~authorize permit~~ formal  
175 disciplinary action to be based solely on an anonymous report.

176 (g) A procedure for the prompt investigation of a report of  
177 bullying, cyberbullying, or harassment and the persons  
178 responsible for the investigation. The investigation of a  
179 reported act of bullying, cyberbullying, or harassment is deemed  
180 to be a school-related activity and begins with a report of such  
181 an act. Incidents that require a reasonable investigation when  
182 reported to appropriate school authorities must ~~shall~~ include  
183 alleged incidents of bullying, cyberbullying, or harassment  
184 allegedly committed against a child while the child is en route  
185 to school aboard a school bus or at a school bus stop.

186 (h) A process to investigate whether a reported act of  
187 bullying, cyberbullying, or harassment is within the scope of  
188 the district school system and, if not, a process for referral  
189 of such an act to the appropriate jurisdiction. Computers  
190 without web-filtering software, or computers with web-filtering  
191 software that is disabled, shall be used when complaints of  
192 cyberbullying are investigated.

193 (i) A procedure for providing immediate notification to the  
194 parents of a victim of bullying, cyberbullying, or harassment  
195 and the parents of the perpetrator of an act of bullying,  
196 cyberbullying, or harassment, as well as notification to all  
197 local agencies where criminal charges may be pursued against the  
198 perpetrator.

199 (j) A procedure to refer victims and perpetrators of  
200 bullying, cyberbullying, or harassment for counseling.

201 (k) A procedure for including incidents of bullying,  
202 cyberbullying, or harassment in the school's report of data



422942

581-02142-13

203 concerning school safety and discipline required under s.  
204 1006.09(6). The report must include each incident of bullying,  
205 cyberbullying, or harassment and the resulting consequences,  
206 including discipline and referrals. The report must include in a  
207 separate section each reported incident of bullying,  
208 cyberbullying, or harassment that does not meet the criteria of  
209 a prohibited act under this section with recommendations  
210 regarding such incidents. The Department of Education shall  
211 aggregate information contained in the reports.

212 (l) A procedure for providing instruction to students,  
213 parents, teachers, school administrators, counseling staff, and  
214 school volunteers on identifying, preventing, and responding to  
215 bullying, cyberbullying, ~~or~~ harassment, and behavior that leads  
216 to bullying, cyberbullying, or harassment.

217 (m) A procedure for regularly reporting to a victim's  
218 parents the actions taken to protect the victim.

219 (n) A procedure for publicizing the policy, which must  
220 include its publication in the code of student conduct required  
221 under s. 1006.07(2) and in all employee handbooks.

222 (5) To assist school districts in developing policies  
223 prohibiting bullying and harassment, the Department of Education  
224 shall provide develop a model policy ~~that shall be provided~~ to  
225 school districts no later than October 1, 2008. The Department  
226 of Education shall incorporate into such model policy a  
227 prohibition on cyberbullying no later than October 1, 2013. The  
228 department's model policy must include factors that school  
229 officials must consider when responding to an incident of  
230 bullying, cyberbullying, or harassment which occurs off school  
231 grounds or outside a school-sponsored activity or event. The



422942

581-02142-13

model policy must be included in the code of student conduct and must provide clear notice to a student and his or her parent that the district may discipline a person who violates this section.

(6) A school employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying, cyberbullying, or harassment to the appropriate school official designated in the school district's policy and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

(7) (a) The physical location or time of ~~an access of a computer-related incident or situation~~ cannot be raised as a defense in any disciplinary action initiated under this section.

(b) This section does not apply to any person who uses data or computer software that is accessed through a computer, computer system, or computer network when acting within the scope of his or her lawful employment or investigating a violation of this section in accordance with school district policy. The definitions in s. 815.03 apply to this paragraph.

(8) Distribution of safe schools funds to a school district provided in the 2014-2015 ~~2009-2010~~ General Appropriations Act is contingent upon and payable to the school district upon the Department of Education's approval of the school district's bullying, cyberbullying, and harassment policy. The department's approval of each school district's bullying, cyberbullying, and harassment policy shall be granted upon certification by the department that the school district's policy has been submitted to the department and is in substantial conformity with the



422942

581-02142-13

department's model bullying, cyberbullying, and harassment policy as mandated in subsection (5). Distribution of safe schools funds provided to a school district in fiscal year 2014-2015 ~~2010-2011~~ and thereafter shall be contingent upon and payable to the school district upon the school district's compliance with all reporting procedures contained in this section.

(9) On or before January 1 of each year, the Commissioner of Education shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the implementation of this section. The report shall include data collected pursuant to paragraph (4)(k).

(10) ~~Nothing in~~ This section does not ~~shall be construed to~~ abridge the rights of students or school employees which that are protected by the First Amendment to the Constitution of the United States.

Section 3. This act shall take effect July 1, 2013.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 626

INTRODUCER: Education Committee and Senator Bullard

SUBJECT: Bullying in the Public School System

DATE: March 12, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	<b>Fav/CS</b>
2.			JU	
3.			RC	
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |  |   |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>                   | Technical amendments were recommended   |
|                              | <input type="checkbox"/>                   | Amendments were recommended             |
|                              | <input type="checkbox"/>                   | Significant amendments were recommended |

**I. Summary:**

CS/SB 626 applies the context of current case law to define and prohibit cyberbullying, and update current law prohibiting bullying and harassment.

The bill defines and prohibits cyberbullying, and specifies the circumstances under which bullying, cyberbullying and harassment of any student or employee of a public K-12 educational institution is prohibited.

The bill requires the Department of Education, by October 1, 2013, to incorporate into its model policy on bullying and harassment, a prohibition on cyberbullying. The bill requires school districts, by December 1, 2013, to incorporate into their model policies on bullying and harassment, a prohibition on cyberbullying.

The effective date of the bill is July 1, 2013.

This bill substantially amends section 1006.147 of the Florida Statutes.



## II. Present Situation:

The legal framework in which a school district's prohibition on bullying, cyberbullying, and harassment is generally challenged in the context of a First Amendment free speech claim.

### School Districts Regulating Student Speech

The First Amendment, through the Fourteenth Amendment, prohibits States from “abridging the freedom of speech.”<sup>1</sup> While students retain significant First Amendment rights in the school context, their rights are not coextensive with those of adults.<sup>2</sup> Because of the “special characteristics<sup>3</sup> of the school environment,” school administrators have latitude in regulating student speech.<sup>4</sup> The seminal case concerning school district regulation of student speech is *Tinker v. Des Moines Independent Community School District*.<sup>5</sup>

In *Tinker*, a group of high-school students decided to wear black armbands to school to protest the Vietnam War.<sup>6</sup> The principals became aware of the plan and adopted a policy that any student wearing an armband to school would first be asked to remove it, and if refused, suspended until the student returned without the armband.<sup>7</sup> Subsequently, the students that wore armbands were suspended pursuant to school policy, and a complaint against the school district was subsequently filed.<sup>8</sup> The case progressed its way to the U.S. Supreme Court. The *Tinker* Court ultimately held that:

[C]onduct by the student, in class or out of it, which for any reason - whether it stems from time, place, or type of behavior – materially disrupts classwork or involves substantial disorder or invasion of the rights of others is, of course, not immunized by the constitutional guarantee of freedom of speech.<sup>9</sup>

Claims have been made by some that federal courts have issued too broad a range of decisions on the subject of student off-campus speech.<sup>10</sup> While there have been a variety of federal court

---

<sup>1</sup> U.S. Const. art. I.; *Gitlow v. New York*, 268 U.S. 652 (1925).

<sup>2</sup> See, *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, 513-514 (1969).

<sup>3</sup> The special characteristics of schools that allow school officials to restrict certain speech are: (1) their educational mission; and (2) the importance of protecting student safety. *Kolwalski v. Berkely County Sch.*, 652 F.3d 565, 567 (4th Cir. 2011).

<sup>4</sup> See, *Tinker, Kowalski*

<sup>5</sup> *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, 513-514 (1969).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at 512-513. The Court also held that in order for “school officials to justify prohibition of a particular expression of opinion, it must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint.” *Id.* at 509. The Court also stated that “[t]he principal use to which the schools are dedicated is to accommodate students during prescribed hours for the purpose of certain types of activities. Among those activities is the personal intercommunication among the students. This is not only an inevitable part of the process of attending schools; it is also an important part of the educational process. *Id.* at 512.

<sup>10</sup> Maryclaire Dale, *Online Student Speech Appeals Rejected by Supreme Court*, Huffington Post, January 17, 2012, [http://www.huffingtonpost.com/2012/01/17/court-rejects-appeals-in-0\\_n\\_1210399.html](http://www.huffingtonpost.com/2012/01/17/court-rejects-appeals-in-0_n_1210399.html)

decisions involving school discipline for student off-campus speech, with a few exceptions, the decisions are not as disparate as critics suggest.<sup>11</sup> For example:

- *Wilson v. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8th Cir. 2012). The location from which the student spoke may be less important than the posts being directed at the school, because the posts could be reasonably expected to impact the school environment.
- *Kowalski v. Berkley Cnty. Schs.*, 652F.3d 565 (4th Cir. 2011). The school district was authorized by *Tinker* to discipline the student, regardless of where her speech originated, because the speech was materially and substantially disruptive in that it interfered with the school's work and collided with the rights of other students to be secure and to be let alone.
- *Doniger v. Niehoff*, 642 F.3d 334 (2nd Cir. 2011). The student may be disciplined for expressive conduct, even when occurring off school grounds, when this conduct would foreseeably create a risk of substantial disruption within the school environment.
- *J.S. v. Blue Mountain Sch. Dist.*, 650 F.3d 915 (3rd Cir. 2011) (en banc). Student's creation of a MySpace profile for principle was so juvenile and nonsensical that no reasonable person could take its content seriously. Thus, there was no substantial disruption.
- *Barbaras v. Florida State University College of Medicine*, 2011 WL 7139411 (N.D. Fla. 2011). Student off-campus conduct (felony battery charges and multiple complaints from other students about physical and emotional abuse) could be subject to *Tinker* if the speech raises on-campus concerns.
- *Evans v. Bayer*, 684 FSupp.2d 1365 (S.D. Fla. 2010). Complaint about a student posting made from home computer criticizing teacher that was quickly removed, did not indicate a well founded expectation of a disruption.

Thus, numerous federal courts have recently utilized the *Tinker* test to balance a student's rights to free speech against a school's interest in maintaining an appropriate learning environment and protecting the rights of other students.<sup>12</sup>

### **Bullying and Harassment**

The 2008 Florida Legislature enacted s. 1006.147, F.S., which prohibits bullying and harassment in the school environment.<sup>13</sup>

Bullying means systemically and chronically inflicting physical hurt or psychological distress on one or more students and may involve:

- Teasing;
- Social exclusion;
- Threat;
- Intimidation;
- Stalking;
- Physical violence;

<sup>11</sup> Nancy Willard, *Student Online Off-Campus Speech: Assessing "Substantial Disruption,"* 22 Alb. L.J. Sci. & Tech. 611, 612 (2012).

<sup>12</sup> Nancy Willard, *Student Online Off-Campus Speech: Assessing "Substantial Disruption,"* 22 Alb. L.J. Sci. & Tech. 611 (2012).

<sup>13</sup> ch. 2008-123, L.O.F., provides the Jeffrey Johnston Stand Up for All Students Act.

- Theft;
- Sexual, religious, or racial harassment;
- Public humiliation; or
- Destruction of property.<sup>14</sup>

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

- Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
- Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- Has the effect of substantially disrupting the orderly operation of a school.<sup>15</sup>

Bullying and harassment includes:

- Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment; and
- Perpetuation of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by incitement or coercion, accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system, or acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Bullying or harassment of any student or employee of a public K-12 educational institution is specifically prohibited:

- During education programs and activities;
- During school-related and school-sponsored activities, including on a school bus; and
- Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 institution.<sup>16</sup>

School districts are required to have a policy which prohibits bullying and harassment of students and employees of public K-12 educational institutions, and which must be integrated with a school's curriculum, discipline policies and other violence prevention efforts.<sup>17</sup>

### **Cyberbullying**

Section 1006.147, F.S., does not define or specifically prohibit cyberbullying, except to:

- Prohibit bullying or harassment of any student or employee of a public K-12 educational institution through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 educational institution;<sup>18</sup> and

---

<sup>14</sup> s. 1006.147(3)(a), F.S.

<sup>15</sup> s. 1006.147(3)(b), F.S.

<sup>16</sup> s. 1006.147(2), F.S.

<sup>17</sup> s. 1006.147(4), F.S.

<sup>18</sup> s. 1006.147(2)(c), F.S.

- Include as bullying the perpetuation of specific behaviors that includes teasing, social exclusion, and threats by an individual or group with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by accessing or knowingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system.<sup>19</sup>

In a 2010 random sample of 4,400 students of ages 11 through 18:

- Approximately 20 percent responded that they had been a victim of cyberbullying;
- Approximately 20 percent responded that they had committed cyberbullying; and
- About 10 percent indicated that they had been both victim and offender.<sup>20</sup>

Subsequently, in a 2012 random sample of 4,441 students in grades 9-12, students who reported that many of their friends had bullied others (at school, using a computer, and using a cell phone) were significantly more likely to have also reported that they too had cyberbullied others.<sup>21</sup>

Research also revealed a link between cyberbullying and low self-esteem, family problems, academic problems, school violence and delinquent behavior.<sup>22</sup> Forty-nine states have adopted anti-bullying legislation, with 16 of these states specifically including anti-cyberbullying legislation.<sup>23</sup>

### III. Effect of Proposed Changes:

CS/SB 626 applies the context of current case law to define and prohibit cyberbullying, and update current law prohibiting bullying and harassment.

The bill defines cyberbullying as:

Bullying or harassment that is related to computers, as described in s. 815.03, or that otherwise occurs through the use of technology or any electronic communications, including, but not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, or other transmission or medium such as electronic mail, text messaging, instant messaging, social media, Internet communications, or facsimile communications.

---

<sup>19</sup> s. 1006.147(3)(d)2.b., F.S.

<sup>20</sup> Sameer Hinduja, PhD and Justin W. Patchin, PhD, *Cyberbullying: Identification, Prevention, and Response* (2010). See online at <http://www.cyberbullying.us/>. Last checked March 6, 2013.

<sup>21</sup> Sameer Hinduja, PhD and Justin W. Patchin, PhD, *Cyberbullying Research Summary: The Influence of Parent, Educators, and Peers* (January 2013).

<sup>22</sup> Sameer Hinduja, PhD and Justin W. Patchin, PhD, *Cyberbullying: Identification, Prevention, and Response* (2010). See online at <http://www.cyberbullying.us/>. Last checked March 6, 2013.

<sup>23</sup> Sameer Hinduja, PhD and Justin W. Patchin, PhD, *State Cyberbullying Laws: A Brief Review of State Cyberbullying Laws and Policies* (January 2013).

Additionally, cyberbullying may involve, but is not limited to:

- Harassment and cyberstalking, as defined in s. 784.048, F.S.;
- Creating a webpage, weblog in which the creator assumes the identity of another person, or knowingly impersonates another person, while posting content or sending messages; and
- Electronically sharing or distributing material and communications to more than one person or posting material on one or more electronic media that may be accessed by one or more persons.

The bill adds school employees to the definition of those who may be bullied, and adds to the list of activities that may constitute bullying:

- “Emotional pain or discomfort;” and
- “Humiliation.”

The bill adds to the definition of harassment specified conduct that:

- As provided in s. 784.048(1)(a), F.S., serves no legitimate purpose and causes substantial emotional distress to a student or school employee; and
- Materially and substantially disrupts or interferes with the orderly operation of a school or the ability of a student to be safe and secure at a school or a school-sponsored event.

The bill expands the circumstances under which bullying, cyberbullying, or harassment of any student or employee of a public K-12 educational institution is prohibited by:

- Adding to the existing prohibition of bullying or harassment through the use of data or computer software that is accessed through a computer, computer system, or computer network, which is physically located on the property of the educational institution, at the site of any school-related or school sponsored program or activity conducted by the educational institution, or on a school bus of a public K-12 educational institution; and
- Creating a new prohibition when the bullying, cyberbullying, or harassment, creates, or if it is reasonably foreseeable that it could create, material and substantial interference with or disruption of:
  - The operation of a school, an education program or activity conducted by a public K-12 educational institution, or a school-related or school-sponsored program or activity, including, but not limited to, field trips, extracurricular activities, or transit on a school bus of a public K-12 educational institution for any of the actions under this subparagraph; or
  - A student’s ability to be safe and secure during school, an education program or activity conducted by a public K-12 educational institution, or a school-related or school-sponsored program or activity, including, but not limited to, field trips, extracurricular activities, or transit on a school bus of a public K-12 educational institution for any of the actions under this subparagraph.

The bill clarifies the definitions of bullying and harassment, and adds to the definition of cyberbullying:

- Retaliation:
  - Against a public school student or employee who makes an allegation of bullying, cyberbullying or harassment; or
  - By making a bad-faith allegation of bullying, cyberbullying or harassment; or

- Perpetuation of bullying, cyberbullying, and harassment by an individual or group of individuals with intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by accessing or knowingly causing or providing access to data or computer software through computer-related means described in s. 815.03, F.S.

The bill requires the Department of Education to incorporate into its existing model policy for bullying and harassment, a model policy prohibiting cyberbullying, no later than October 1, 2013. The model policy must include factors that school officials must consider when responding to an incident of bullying, cyberbullying or harassment that occurs off school grounds or outside a school-sponsored activity or event. The model policy must be included in the code of student conduct and provide clear notice to a student and parent that the district will discipline a person who violates the provisions of this section.

The bill requires school districts, by December 1, 2013, to incorporate into their policies prohibiting bullying and harassment, a prohibition on cyberbullying of any student or employee of a public K-12 educational institution. The bill requires the policy to:

- Require computers on which web-filtering software is not installed, or disabled, to be used when complaints of cyberbullying are investigated; and
- Provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to behaviors that lead to bullying, cyberbullying, and harassment.

The bill requires that distribution of safe school funds to a school district provided in the 2014-2015 General Appropriation Act is contingent upon and payable to the school district upon the Department of Education's approval of the school district bullying, cyberbullying, and harassment policy. The Department's approval of each school district's bullying, cyberbullying, and harassment policy shall be granted upon certification by the department that the school district's policy has been submitted to the department and is in substantial conformity with the department's model bullying, cyberbullying, and harassment policy.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Committee on Education on March 12, 2013:**

The committee substitute differs from SB 626 in that the committee substitute:

- Names the act the “Imagine Shetterria Elliot Act;”
- Establishes cyberbullying as a stand-alone prohibited action;
- Prohibits bullying, cyberbullying, and harassment through the use of data or computer software that is accessed through a computer, computer system, or computer network which is on a public school bus;
- Codifies recent court decisions use of the *Tinker* test in the context of prohibiting bullying, cyberbullying, and harassment off school property;
- Clarifies the definition of bullying by including school employees;
- Clarifies the definition of cyberbullying by specifically including text messages and social media, and incorporating the definitions of harassment and cyberstalking in s . 784.048, F.S.;
- Clarifies the definition of harassment by incorporating the definition of harassment in s. 784.048(1)(a), F.S., and by incorporating the *Tinker* test;
- Requires the Department of Education to incorporate cyberbullying into its model policy on bullying and harassment. The model policy must include factors a school district must consider when responding to an incident of bullying, cyberbullying, or harassment which occurs off school grounds, and must provide clear notice to a student and parent that the district will discipline a person who violates this section;

- Requires a school district to incorporate cyberbullying into its policy on bullying and harassment; and
- Makes distribution of safe school funds to a school district provided in the 2014-2015 General Appropriations Act contingent and payable to the school district upon the Department of Education's approval of the school district's bullying, cyberbullying, and harassment policy.

B. Amendments:

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---





400206

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Bullard) recommended the following:

**Senate Amendment (with title amendment)**

Before line 25

insert:

Section 1. SHORT TITLE.—This act may be cited as the  
"Sheterria Elliot Anti-Bullying Act."

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 3

and insert:

system; providing a short title; amending s. 1006.147,  
F.S.; revising

By Senator Bullard

39-00835-13

2013626\_\_

1 A bill to be entitled  
2 An act relating to bullying in the public school  
3 system; amending s. 1006.147, F.S.; revising  
4 provisions prohibiting bullying or harassment of a  
5 student or school employee through the use of  
6 computer-related activities; prohibiting bullying  
7 through the use of data or computer software that is  
8 accessed at a nonschool-related location or activity  
9 if certain conditions are met; providing that bullying  
10 includes cyberbullying; revising the list of behaviors  
11 that indicate possible bullying; defining the terms  
12 "cyberbullying" and "within the scope of a public K-12  
13 educational institution"; requiring that each school  
14 district include in its districtwide policy  
15 instruction on recognizing behaviors that lead to  
16 bullying and harassment and taking appropriate  
17 preventive action; requiring that any complaint of a  
18 computer-related incident be investigated by a school  
19 district official using a computer on which web-  
20 filtering software is not installed; providing an  
21 effective date.

22 Be It Enacted by the Legislature of the State of Florida:

23  
24  
25 Section 1. Subsections (2) and (3) and paragraph (1) of  
26 subsection (4) of section 1006.147, Florida Statutes, are  
27 amended, and paragraph (c) is added to subsection (7) of that  
28 section, to read:  
29 1006.147 Bullying and harassment prohibited.—

Page 1 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

39-00835-13

2013626\_\_

30 (2) Bullying or harassment of any student or employee of a  
31 public K-12 educational institution is prohibited:  
32 (a) During any education program or activity conducted by a  
33 public K-12 educational institution;  
34 (b) During any school-related or school-sponsored program  
35 or activity or on a school bus of a public K-12 educational  
36 institution; ~~or~~  
37 (c) Through the use of data or computer software that is  
38 accessed through a computer, computer system, or computer  
39 network within the scope of a public K-12 educational  
40 institution; or  
41 (d) Through the use of data or computer software that is  
42 accessed at a nonschool-related location, activity, function, or  
43 program or through the use of technology or an electronic device  
44 that is not owned, leased, or used by a school district or  
45 school, if the bullying creates a hostile environment at school  
46 for the victim, infringes on the rights of the victim at school,  
47 or materially or substantially disrupts the education process or  
48 the orderly operation of a school. This paragraph does not  
49 require a school to staff any nonschool-related activity,  
50 function, or program.  
51 (3) For purposes of this section:  
52 (a) "Bullying" includes cyberbullying and means  
53 systematically and chronically inflicting physical hurt or  
54 psychological distress on one or more students and may involve:  
55 1. Teasing;  
56 2. Social exclusion;  
57 3. Threat;  
58 4. Intimidation;

Page 2 of 6

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

39-00835-13

2013626

- 59 5. Stalking;  
 60 6. Physical violence;  
 61 7. Theft;  
 62 8. Sexual, religious, or racial harassment;  
 63 9. Public or private humiliation; ~~or~~  
 64 10. Emotional pain or discomfort; or  
 65 11.40. Destruction of property.

66 (b) "Cyberbullying" means bullying through the use of  
 67 technology or any electronic communication, which includes, but  
 68 is not limited to, any transfer of signs, signals, writing,  
 69 images, sounds, data, or intelligence of any nature transmitted  
 70 in whole or in part by a wire, radio, electromagnetic system,  
 71 photoelectronic system, or photooptical system, including, but  
 72 not limited to, electronic mail, Internet communications,  
 73 instant messages, or facsimile communications. Cyberbullying  
 74 includes the creation of a webpage or weblog in which the  
 75 creator assumes the identity of another person, or the knowing  
 76 impersonation of another person as the author of posted content  
 77 or messages, if the creation or impersonation creates any of the  
 78 conditions enumerated in the definition of bullying.  
 79 Cyberbullying also includes the distribution by electronic means  
 80 of a communication to more than one person or the posting of  
 81 material on an electronic medium that may be accessed by one or  
 82 more persons, if the distribution or posting creates any of the  
 83 conditions enumerated in the definition of bullying.

84 (c) ~~(b)~~ "Harassment" means any threatening, insulting, or  
 85 dehumanizing gesture, use of data or computer software, or  
 86 written, verbal, or physical conduct directed against a student  
 87 or school employee that:

39-00835-13

2013626

- 88 1. Places a student or school employee in reasonable fear  
 89 of harm to his or her person or damage to his or her property;  
 90 2. Has the effect of substantially interfering with a  
 91 student's educational performance, opportunities, or benefits;  
 92 or

- 93 3. Has the effect of substantially disrupting the orderly  
 94 operation of a school.

95 (d) "Within the scope of a public K-12 educational  
 96 institution" means, regardless of ownership, any computer,  
 97 computer system, or computer network that is physically located  
 98 on school property or at a school-related or school-sponsored  
 99 program or activity.

100 (e) ~~(e)~~ Definitions in s. 815.03 and the definition in s.  
 101 784.048(1)(d) relating to stalking are applicable to this  
 102 section.

103 (f) ~~(d)~~ The definitions of "bullying" and "harassment"  
 104 include:

105 1. Retaliation against a student or school employee by  
 106 another student or school employee for asserting or alleging an  
 107 act of bullying or harassment. Reporting an act of bullying or  
 108 harassment that is not made in good faith is considered  
 109 retaliation.

110 2. Perpetuation of conduct listed in paragraph (a), ~~or~~  
 111 paragraph (b), or paragraph (c) by an individual or group with  
 112 intent to demean, dehumanize, embarrass, or cause physical harm  
 113 to a student or school employee by:

- 114 a. Incitement or coercion;  
 115 b. Accessing or knowingly causing or providing access to  
 116 data or computer software through a computer, computer system,

39-00835-13 2013626\_\_

or computer network within the scope of the district school system; or

c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

(4) By December 1, 2008, each school district shall adopt a policy prohibiting bullying and harassment of any student or employee of a public K-12 educational institution. Each school district's policy shall be in substantial conformity with the Department of Education's model policy mandated in subsection (5). The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy. The school district policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

(1) A procedure for providing instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on each of those observations.

39-00835-13 2013626\_\_

(7)

(c) Any complaint of a computer-related incident must be investigated by a school district official using a computer on which web-filtering software is not installed.

Section 2. This act shall take effect July 1, 2013.

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03-12-2013

*Meeting Date*

Topic Bullying

Bill Number SB 626  
*(if applicable)*

Name Jay Jefferson

Amendment Barcode 422942  
*(if applicable)*

Job Title Carver Elementary PTA President; Miami-Dade PTA Board

Address 238 Grand Avenue

Phone 786-925-5632

*Street*

Miami

FL

33133

*City*

*State*

*Zip*

E-mail jay.jefferson@littlecarverpta.org

Speaking. ☒ For ☐ Against ☐ Information

Representing Miami-Dade County PTA/PTSA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-12-13

Meeting Date

Topic \_\_\_\_\_

Bill Number 626  
(if applicable)

Name Bob Harris

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title \_\_\_\_\_

Address 2618 Centennial Place

Phone 222-0720

Dallastown FL 32308  
City State Zip

E-mail bharris@cafla.com

Speaking: ☐ For ☒ Against ☐ Information

Representing Panhandle Area Educational Consortium

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

March 12, 2013

*Meeting Date*

Topic Bullying in the Public School System

Bill Number PCS/SB 626  
*(if applicable)*

Name Graham I. Rabinowitsch

Amendment Barcode 422942  
*(if applicable)*

Job Title \_\_\_\_\_

Address 9824 Fairway Cove Lane

Phone 954-592-4194

*Street*

Plantation

Florida

33324

*City*

*State*

*Zip*

E-mail legislation@floridapta.org

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

***This form is part of the public record for this meeting.***

S-001 (10/20/11)

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

---

Prepared By: The Professional Staff of the Committee on Education

---

BILL: SB 680

INTRODUCER: Senator Evers

SUBJECT: Florida Bright Futures Scholarship Program

DATE: March 11, 2013

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Harkey	Klebacha	ED	<b>Favorable</b>
2. _____	_____	AED	_____
3. _____	_____	AP	_____
4. _____	_____	RC	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

---

**I. Summary:**

SB 680 repeals the requirement for students to submit a Free Application for Federal Student Aid (FASFA) in order to be eligible for a Bright Futures Scholarship.

The bill takes effect July 1, 2013.

SB 680 amends s. 1009.531, Florida Statutes.

**II. Present Situation:**

Section 1009.531(7), F.S., requires a student to submit a Free Application for Federal Student Aid (FASFA) in order to be eligible for the merit-based Bright Futures Scholarship. The FASFA provides data on student and family income that universities use to determine financial need. The 2011 Legislature added the FASFA requirement as a requirement for Bright Futures Scholarship eligibility.<sup>1</sup>

The requirement for the FAFSA was initiated during the 2011-12 academic year and substantially increased the percentage of Bright Futures recipients filing a FAFSA from 70% in 2010-11 to 100% in 2011-12.<sup>2</sup> University financial aid offices report that the addition of the FAFSA requirement as part of the Bright Futures Scholarship program has resulted in a significant increase in the workload due to the need to process approximately 30,000 additional

---

<sup>1</sup> Ch. 2011-63, L.O.F.

<sup>2</sup> Florida Board of Governors staff analysis for SB 680, on file with the Senate Education Committee.



student FAFSA applications in 2011-12 above the historical trend. Verification of information on the FAFSA can add several weeks to the financial aid packaging process.<sup>3</sup>

According to the Board of Governors (BOG), approximately one-third of FAFSA forms annually received by institutions are randomly selected by the US Department of Education for verification. The federal regulation states that if an institution has reason to believe that an applicant's FAFSA information is inaccurate, it must verify the accuracy of that information.<sup>4</sup> Thus an increase in the number of FAFSA applications filed increases the workload for these verifications.

### **III. Effect of Proposed Changes:**

SB 680 repeals the requirement for students to submit a Free Application for Federal Student Aid (FAFSA) in order to be eligible for a Bright Futures Scholarship.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

Students and their parents would not have to disclose family financial information in order to be eligible for a Bright Futures Scholarship.

#### **C. Government Sector Impact:**

The repeal of the FAFSA requirement would reduce the workload on university financial aid offices.

---

<sup>3</sup> *Ibid.*

<sup>4</sup> ch. 34, s. 668.54), C.F.R.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

---

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---

By Senator Evers

2-00913-13

2013680\_\_

A bill to be entitled

An act relating to the Florida Bright Futures  
Scholarship Program; repealing s. 1009.531(7), F.S.,  
relating to student eligibility requirements for an  
initial award and each renewal award under the Florida  
Bright Futures Scholarship Program; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) of section 1009.531, Florida  
Statutes, is repealed.

Section 2. This act shall take effect July 1, 2013.

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3.12.13

Meeting Date

Topic \_\_\_\_\_

Bill Number 680  
(if applicable)

Name MEGAN SIRJANE SAMPLES

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title LEGISLATIVE ASSISTANT

Address 1028 EAST PARK AVE.

Phone 850.216.1002

TALLAHASSEE, FL 32301  
City State Zip

E-mail Megan@pittman-law.com

Speaking: ☒ For ☐ Against ☐ Information

Representing FLORIDA STATE UNIVERSITY - STUDENT GOVERNMENT ASSOCIATION

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

S-001 (10/20/11)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Criminal Justice, *Chair*  
Appropriations Subcommittee on Finance and Tax  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Communications, Energy, and Public Utilities  
Military and Veterans Affairs, Space, and  
Domestic Security  
Transportation

### JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

### SENATOR GREG EVERS

2nd District

March 11, 2013

Senator John Legg, Chair  
Committee on Education  
316 Senate Office Building  
404 S. Monroe Street  
Tallahassee, FL 32399

Chairman Legg,

Senate Bill 680, pertaining to Florida Bright Futures Scholarship Program, is on your committee agenda tomorrow. I respectfully request my Legislative Aide, Molly Caddell, be permitted to present the bill in my absence. I appreciate your favorable consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Greg Evers".

Greg Evers

### REPLY TO:

- ☐ 209 East Zaragoza Street, Pensacola, Florida 32502-6048 (850) 595-0213 FAX: (888) 263-0013
- ☐ 308 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5002

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

DON GAETZ  
President of the Senate

GARRETT RICHTER  
President Pro Tempore



466020

581-02115-13

Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to college tuition; amending s.  
1009.24, F.S.; providing that resident undergraduate  
tuition and student fees at a state university remain  
unchanged for certain undergraduate students;  
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsection (19) of section 1009.24,  
Florida Statutes, is redesignated as subsection (20) of that  
section, a new subsection (19) is added to that section, and  
subsection (4) of that section is amended, to read:

1009.24 State university student fees.—

(4)(a) Effective July 1, 2011, the resident undergraduate  
tuition for lower-level and upper-level coursework shall be  
\$103.32 per credit hour.

(b) Beginning with the 2008-2009 fiscal year and each year  
thereafter, the resident undergraduate tuition per credit hour  
shall increase at the beginning of each fall semester at a rate  
equal to inflation, unless:

1. Otherwise provided in the General Appropriations Act.

The Office of Economic and Demographic Research shall report the  
rate of inflation to the President of the Senate, the Speaker of  
the House of Representatives, the Governor, and the Board of  
Governors each year prior to March 1. For purposes of this  
paragraph, the rate of inflation shall be defined as the rate of  
the 12-month percentage change in the Consumer Price Index for



466020

581-02115-13

All Urban Consumers, U.S. City Average, All Items, or successor  
reports as reported by the United States Department of Labor,  
Bureau of Labor Statistics, or its successor for December of the  
previous year. In the event the percentage change is negative,  
the resident undergraduate tuition shall remain at the same  
level as the prior fiscal year.

2. Tuition remains unchanged for 4 years as provided in  
this subparagraph. Beginning with the 2013-2014 academic year  
and each year thereafter, the resident undergraduate tuition for  
lower-level and upper-level coursework, as provided under  
paragraph (a), shall remain unchanged for 4 consecutive years,  
beginning with the time of initial enrollment at a state  
university for an undergraduate student who:

a. Enrolls full time at a state university for the first  
time beginning the 2013 fall semester or during an academic term  
thereafter;

b. Remains continuously enrolled at the state university  
for 4 consecutive years;

c. Qualifies as a resident for tuition purposes pursuant to  
s. 1009.21; and

d. Completes degree requirements within 4 academic years,  
unless the degree requirements for an academic program exceed  
120 semester hours as approved by the Board of Governors  
pursuant to s. 1007.25(8).

(c) The Board of Governors, or the board's designee, may  
establish tuition for graduate and professional programs, and  
out-of-state fees for all programs. Except as otherwise provided  
in this section, the sum of tuition and out-of-state fees  
assessed to nonresident students must be sufficient to offset



466020

581-02115-13

the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate programs and professional programs may not exceed 15 percent in any year.

(d) The Board of Governors may consider and approve flexible tuition policies as requested by a university board of trustees in accordance with the provisions of subsection (15) only to the extent such policies are in alignment with the mission of the university and do not increase the state's fiscal liability or obligations, including, but not limited to, any fiscal liability or obligation for programs authorized under ss. 1009.53-1009.538 and ss. 1009.97-1009.984.

(e) The sum of the activity and service, health, and athletic fees a student is required to pay to register for a course shall not exceed 40 percent of the tuition established in law or in the General Appropriations Act. No university shall be required to lower any fee in effect on the effective date of this act in order to comply with this subsection. Within the 40 percent cap, universities may not increase the aggregate sum of activity and service, health, and athletic fees more than 5 percent per year, or the same percentage increase in tuition authorized under paragraph (b), whichever is greater, unless specifically authorized in law or in the General Appropriations Act. A university may increase its athletic fee to defray the costs associated with changing National Collegiate Athletic Association divisions. Any such increase in the athletic fee may exceed both the 40 percent cap and the 5 percent cap imposed by this subsection. Any such increase must be approved by the athletic fee committee in the process outlined in subsection



466020

581-02115-13

(12) and cannot exceed \$2 per credit hour. Notwithstanding the provisions of ss. 1009.534, 1009.535, and 1009.536, that portion of any increase in an athletic fee pursuant to this subsection that causes the sum of the activity and service, health, and athletic fees to exceed the 40 percent cap or the annual increase in such fees to exceed the 5 percent cap shall not be included in calculating the amount a student receives for a Florida Academic Scholars award, a Florida Medallion Scholars award, or a Florida Gold Seal Vocational Scholars award. Notwithstanding this paragraph and subject to approval by the board of trustees, each state university is authorized to exceed the 5-percent cap on the annual increase to the aggregate sum of activity and service, health, and athletic fees for the 2010-2011 fiscal year. Any such increase shall not exceed 15 percent or the amount required to reach the 2009-2010 fiscal year statewide average for the aggregate sum of activity and service, health, and athletic fees at the main campuses, whichever is greater. The aggregate sum of the activity and service, health, and athletic fees shall not exceed 40 percent of tuition. Any increase in the activity and service fee, health fee, or athletic fee must be approved by the appropriate fee committee pursuant to subsection (10), subsection (11), or subsection (12).

(f) This subsection does not prohibit a university from increasing or assessing optional fees related to specific activities if payment of such fees is not required as a part of registration for courses.

(19) For a resident undergraduate student who meets the requirements of subparagraph (4)(b)2., the fees may not, for 4



466020

581-02115-13

116 years, exceed the fees established by the state university at  
117 the time of the student's initial enrollment at the state  
118 university.

119 Section 2. This act shall take effect July 1, 2013.



**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 920

INTRODUCER: Committee on Education and Senator Detert

SUBJECT: State University System

DATE: March 12, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	<b>Fav/CS</b>
2.			AED	
3.			AP	
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |  |   |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>                   | Technical amendments were recommended   |
|                              | <input type="checkbox"/>                   | Amendments were recommended             |
|                              | <input type="checkbox"/>                   | Significant amendments were recommended |

**I. Summary:**

CS/SB 920 establishes a mechanism for full time resident students continuously enrolled at a state university to maintain the same tuition and fees for a period of 4 consecutive years.

The bill provides that tuition and fees charged by state universities must remain unchanged for 4 consecutive years beginning with the time of an undergraduate student's initial enrollment at a state university if the student meets the following conditions:

- Enrolls full time at a state university for the first time beginning the fall 2013 semester or during an academic term thereafter;
- Remains continuously enrolled at the state university for 4 consecutive years;
- Qualifies as a resident for tuition purposes; and
- Completes degree requirements within 4 academic years unless the degree requirements exceed 120 semester hours as approved by the Florida Board of Governors.

The effective date of the bill is July 1, 2013.

The bill amends section 1009.24 of the Florida Statutes.

## II. Present Situation:

### State University Tuition

The Legislature has the authority to establish the resident undergraduate tuition and fee levels.<sup>1</sup>

A student who enrolls in a college credit course at state university is charged tuition and other fees, unless the student is eligible for an exemption or a waiver.<sup>2</sup> The term “tuition” is defined as “the basic fee charged to a student for instruction provided by a public postsecondary educational institution in this state.”<sup>3</sup> If the student is not classified as a resident for tuition purposes, he or she must pay an out-of-state fee in addition to tuition.<sup>4</sup>

Each year, the Legislature establishes the resident undergraduate tuition for lower-level and upper-level coursework in the General Appropriations Act. Beginning with the fall 2012 semester, the undergraduate tuition is set at \$103.32 per credit hour for the 2012-2013 fiscal year.<sup>5</sup> Current law specifies that the resident undergraduate tuition per credit hour must increase at the beginning of each fall semester at a rate equal to inflation<sup>6</sup> unless otherwise provided in the General Appropriations Act. Prior to March 1 of each year, the Office of Economic and Demographic Research must report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the Board of Governors (BOG) of the State University System (SUS) of Florida.<sup>7</sup> Table 1 shows the resident undergraduate tuition per credit hour established by the Legislature over the last five years.

---

<sup>1</sup> Section 1009.24(4)(a), F.S. On December 30, 2010, the Second Judicial Circuit of Leon County entered summary judgment in favor of the Legislature in the 2007 lawsuit, holding among other things, that the Legislature’s power to appropriate SUS funding includes the authority to establish tuition and fee levels. *Graham, et al. v. Atwater and Cretul*, 2010 WL6331974 (Fla. 2<sup>nd</sup> Jud. Cir. 2010). On January 2013, the Supreme Court of Florida upheld the Legislature’s authority to set and appropriate for the expenditure of tuition and fees. *Graham, et al. v. Haridopolis, etc, et al. --- So. 3<sup>rd</sup> ---*, 2013 WL362773 (Fla. 2013); *see also* Inside Higher ED, *Florida’s Top Court Backs Legislature’s Authority to Set Tuition*, <http://www.insidehighered.com/quicktakes/2013/02/01/floridas-top-court-backs-legislatures-authority-set-tuition> (last visited March 09, 2013).

<sup>2</sup> Sections 1009.24(1)-(2), 1009.25, and 1009.26, F.S.

<sup>3</sup> Section 1009.01, F.S.

<sup>4</sup> Sections 1009.01(2), F.S.; *see also* specific 129, s. 2, ch. 2012-118, L.O.F. and Florida Board of Governors Regulation 7.001(2).

<sup>5</sup> Specific Appropriation 129, s. 2, ch. 2012-118, L.O.F.

<sup>6</sup> Rate of inflation is defined as the “rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the resident undergraduate tuition shall remain at the same level as the prior fiscal year.” Section 1009.24(4)(b), F.S.

<sup>7</sup> Section 1009.24(4)(b), F.S.

Table 1.

	<b>2008-2009</b>	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>
Resident Undergraduate Tuition	\$ 82.03 <sup>8</sup>	\$ 88.59 <sup>9</sup>	\$ 95.67 <sup>10</sup>	\$ 103.32 <sup>11</sup>	\$ 103.32 <sup>12</sup>

Between 2008-2009 and 2012-2013, undergraduate tuition has increased by 26% resulting in \$ 140 million in additional revenue.<sup>13</sup>

### State University Fees

The Legislature delegates to the BOG the authority to establish certain fees as specified in law.<sup>14</sup> The BOG may further delegate to the university boards of trustees the authority to establish fees to recover the cost of services, fines, and fees. The board of trustees for each state university may establish the following fees subject to the approval of the BOG: activity and service fee, health fee, athletic fee, and tuition differential fee<sup>15</sup>. The Legislature establishes the financial aid fee, Capital Improvement Trust Fund fee, building fee, and distance learning course fee as a specified dollar amount or percent of tuition.<sup>16</sup> In addition, the board of trustees for each state university may assess additional fees upon approval by the BOG.<sup>17</sup> Revenue generated from these fees must be expended as provided in law.<sup>18</sup> Table 2 shows the average fees charged by the state universities over the last five years.<sup>19</sup>

Table 2.

<b>Fees</b>	<b>2008-2009</b>	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>
Differential	\$ 6.03	\$ 8.89	\$ 16.43	\$ 25.59	\$ 41.30
Financial Aid	\$ 4.10	\$ 4.42	\$ 4.78	\$ 5.16	\$ 5.16
Activity and Service	\$ 10.94	\$ 11.37	\$ 12.32	\$ 12.53	\$ 14.41
Athletic	\$ 9.73	\$ 10.19	\$ 11.12	\$ 11.80	\$ 10.93
Health	\$ 7.13	\$ 7.58	\$ 9.07	\$ 9.50	\$ 8.49
Technology	N/A	\$ 4.33	\$ 4.75	\$ 5.16	\$ 5.16
Building	\$ 2.32	\$ 2.32	\$ 2.32	\$ 2.32	N/A
Capital Improvement	\$ 2.44	\$ 2.44	\$ 2.44	\$ 2.44	\$ 6.56

<sup>8</sup> Specific Appropriation 151, s. 2, ch. 2008-152, L.O.F.

<sup>9</sup> Specific Appropriation 138, s. 2, ch. 2009-81, L.O.F.

<sup>10</sup> Specific Appropriation 132, s. 2, ch. 2010-152, L.O.F.

<sup>11</sup> Specific Appropriation 119, s. 2, ch. 2011-69, L.O.F.

<sup>12</sup> Specific Appropriation 129, s. 2, ch. 2012-118, L.O.F.

<sup>13</sup> Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 920* (Feb. 28, 2013), at 2.

<sup>14</sup> Section 1009.24(4), (7)-(13), and (15)-(17), F.S.

<sup>15</sup> Tuition differential is defined as the “supplemental fee charged to a student by a public university in this state.” The amount of this fee for undergraduate courses is limited to the extent that the “aggregate sum of undergraduate tuition and fees, including the tuition differential [fee] may not exceed the national average of undergraduate tuition and fees at 4-year degree-granting public postsecondary educational institutions.” Sections 1009.01(3) and 1009.24(16)(b)4., F.S.

<sup>16</sup> Section 1009.24(4), (7)-(13), and (15)-(17), F.S.; *see also* Florida Board of Governors Regulations 7.001(6) and (14) and 7.003(4), (5), (16), (17), and (23).

<sup>17</sup> Section 1009.24 (14), F.S.

<sup>18</sup> Section 1009.24, F.S.

<sup>19</sup> Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 920* (Feb. 28, 2013), at 1.

### III. Effect of Proposed Changes:

Given that the average college freshman, nationally, takes more than five and a half years to graduate, a growing number of colleges are trying to entice students to graduate in 4 years by employing a variety of methods including, but not limited to, keeping tuition flat over the 4-year period.<sup>20</sup> In Florida, graduation rates for first-time-in-college full time degree-seeking students vary widely across Florida's state universities. Table 3 shows that the four-year graduation rate ranges between 59% at the University of Florida to 11% at Florida Agricultural and Mechanical University.<sup>21</sup>

Table 3.

<b>University</b>	<b>Four-Year Graduation</b> (Fall 2005 students who graduated in four years)	<b>Six-Year Graduation</b> (Fall 2005 students who graduated in six years)
University of Florida	59%	84%
Florida State University	49%	74%
New College of Florida	50%	68%
University of Central Florida	34%	63%
University of South Florida- Main Campus	25%	52%
University of North Florida	23%	50%
University of West Florida	23%	48%
Florida Gulf Coast University	24%	45%
Florida Atlantic University	17%	43%
Florida International University	16%	43%
Florida Agricultural and Mechanical University	11%	40%

#### State University Tuition

CS/SB 920 incentivizes undergraduate students to graduate timely by requiring that the tuition charged by state universities must remain unchanged for 4 consecutive years beginning with the time of an undergraduate student's initial enrollment at a state university if the student meets the following conditions:

- Enrolls full time at a state university for the first time beginning the fall 2013 semester or during an academic term thereafter;

<sup>20</sup> "To qualify for a guarantee program, students are typically required to complete at least 30 credit [hours] each academic year, meet regularly with advisors, and take required courses." CNN, *Colleges Offer Four-Year Graduation Guarantees*, <http://money.cnn.com/2013/03/05/pf/college/graduation-guarantees/index.html> (last visited March 9, 2013); see also U.S. News & World Report, *More Schools Debut Tuition Guarantee Programs*, <http://www.usnews.com/education/best-colleges/paying-for-college/articles/2012/02/22/more-schools-debut-tuition-guarantee-programs> (last visited March 10, 2013).

<sup>21</sup> Telephone interview with staff, Office of Program Policy Analysis and Government Accountability (March 11, 2013); see also E-mail, Office of Program Policy Analysis and Government Accountability, *State University System of Florida: University Profiles* (Sept. 18, 2012), on file with the Committee on Education staff.

- Remains continuously enrolled at the state university for 4 consecutive years;
- Qualifies as a resident for tuition purposes; and
- Completes degree requirements within 4 academic years unless the degree requirements exceed 120 semester hours as approved by the BOG<sup>22</sup>.

To utilize the incentive of fixed tuition and fees, the students may need to take 30 credit hours annually to graduate in 4 years. Currently, to receive state financial aid awards, students must earn 12 credit hours per term.<sup>23</sup>

### State University Fees

If a student meets the requirements for fixed tuition, as provided in the bill, the fees charged by a state university for that student must also remain unchanged for 4 consecutive years thus giving students and parents the ability to plan ahead for the total cost of undergraduate education.

The bill may impact the state universities that have a higher concentration of full time students (e.g., New College of Florida, University of Florida, Florida Agricultural and Mechanical University, and Florida State University) more than the state universities that have fewer full time students (e.g., Florida Atlantic University and Florida International University) relative to part time students. Table 4 shows the percentage of full time and part time undergraduate attendance for each state university.<sup>24</sup>

Table 4.

University	Full Time Attendance (Fall 2011)	Part Time Attendance (Fall 2011)
New College of Florida	100%	-
University of Florida	93%	7%
Florida Agricultural and Mechanical University	91%	9%
Florida State University	90%	10%
Florida Gulf Coast University	81%	19%
University of Central Florida	75%	25%
University of South Florida- Main Campus	73%	27%
University of North Florida	73%	27%
University of West Florida	72%	28%
Florida International University	65%	35%
Florida Atlantic University	62%	38%

<sup>22</sup> Section 1007.25(8), F.S.; *see also* Florida Board of Governors Regulation 8.014.

<sup>23</sup> Section 1009.40(1)(b)1.b., F.S. To renew the Florida Bright Futures Scholarship Program, students must earn “at least 24 semester credit hours or the equivalent in the last academic year in which the student earned a scholarship if the student was enrolled full time.” Section 1009.532(1)(a), F.S.

<sup>24</sup> E-mail, Office of Program Policy Analysis and Government Accountability, *State University System of Florida: University Profiles* (Sept. 18, 2012), on file with the Committee on Education staff.

However, students who utilize the incentive of fixed tuition and fees for 4 years and graduate within 4 years or as approved by the BOG, will free-up university classroom space. As a result, the state universities may be able to enroll new students more frequently.

The bill does not extend the fixed tuition and fee incentives to students enrolled in baccalaureate degree programs at the Florida College System (FCS) institutions, students who transfer from a FCS institution to a state university, and part time students at state universities.

#### **IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

#### **V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

For students and the students' families, fixed tuition and fees for 4 years will allow for planning ahead for the total costs of an undergraduate education. Additionally, students who graduate timely may incur less financial debt and enter the workforce sooner than students who take longer to complete degree requirements.

**C. Government Sector Impact:**

To implement the provisions of the bill, the BOG estimates that the state universities may lose approximately \$75 million in undergraduate tuition and fee revenues for the next 4 years.<sup>25</sup>

Additionally, the state universities will need to modify the student and accounting and billing systems to track students from different cohorts and charge such students tuition and fees based on the students' cohort. The fiscal impact regarding modifying the systems is indeterminate.<sup>26</sup>

---

<sup>25</sup> Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 920* (Feb. 28, 2013), at 4.

<sup>26</sup> Florida Board of Governors, *2013 Agency Legislative Bill Analysis for SB 920* (Feb. 28, 2013), at 4.

The fiscal impact of the bill on the Stanley G. Tate Florida Prepaid College Program is indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Committee on Education on March 12, 2013:**

The committee substitute differs from SB 920 in that the committee substitute:

- Keeps intact legislative authority regarding establishing tuition and fee levels for resident undergraduate students enrolled at the state universities.

**B. Amendments:**

None.

By Senator Detert

28-01293-13

2013920\_\_

A bill to be entitled

An act relating to the State University System;  
creating s. 1009.245, F.S.; requiring tuition and fees  
assessed to an undergraduate student to remain  
constant and not exceed the rate assessed upon initial  
enrollment under specified circumstances; providing  
for prospective application; providing an effective  
date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 1009.245, Florida Statutes, is created  
to read:

1009.245 Four-year guaranteed tuition and fee program.—  
Notwithstanding s. 1009.24, the established rate of tuition and  
fees assessed to an undergraduate student who is a resident for  
tuition purposes and who is continuously enrolled in the State  
University System during 4 consecutive academic years, shall  
remain constant and may not exceed the rate assessed upon  
initial enrollment. If a student is pursuing an academic program  
that requires more than 4 years to complete, the rate of tuition  
and fees shall remain constant for the length of time required  
to complete the program as determined by the university. This  
section shall apply prospectively only, beginning with students  
enrolling for the first time in the State University System  
during the 2013-2014 academic year.

Section 2. This act shall take effect July 1, 2013.



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/12/13  
Meeting Date

Topic State University System

Bill Number 920  
(if applicable)

Name DR. Kim McDougal

Amendment Barcode \_\_\_\_\_  
(if applicable)

Job Title Education Policy Coordinator

Address 1602 The Capitol  
Street

Phone 850-566-8114

City

State

Zip

E-mail kim.mcdougal@lasps.state.fl.us

Speaking: ☒ For ☐ Against ☐ Information

Representing Executive office of the Governor

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)



## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

### COMMITTEES:

Commerce and Tourism, *Chair*  
Appropriations Subcommittee on Education  
Appropriations Subcommittee on General  
Government  
Banking and Insurance  
Children, Families, and Elder Affairs  
Regulated Industries

### JOINT COMMITTEE:

Joint Administrative Procedures Committee

**SENATOR NANCY C. DETERT**

28th District

March 11, 2013

The Honorable John Legg  
Chair  
Senate Education Committee  
415 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Dear Mr. Chair:

Thank you very much for placing my Senate Bill 920 on your committee's agenda tomorrow. Please know that I also have another bill up at the same time in a different committee; therefore, in the event I am unable to get there, please allow Charlie Anderson, my legislative assistant, to present my bill.

I appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Nancy Detert". The signature is fluid and cursive, with the first name "Nancy" being more prominent than the last name "Detert".

Nancy C. Detert

NCD/ca

cc: Theresa Klebacha, Staff Director  
Michelle Perez, Committee Administrative Assistant

### REPLY TO:

- ☐ 417 Commercial Court, Suite D, Venice, Florida 34292 (941) 480-3547 FAX: (941) 480-3549
- ☐ 416 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5028

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1720

INTRODUCER: Education Committee and Senator Galvano

SUBJECT: College Instruction

DATE: March 13, 2013

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Harkey	Klebacha	ED	<b>Fav/CS</b>
2. _____	_____	AED	_____
3. _____	_____	AP	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |  |   |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>                   | Technical amendments were recommended   |
|                              | <input type="checkbox"/>                   | Amendments were recommended             |
|                              | <input type="checkbox"/>                   | Significant amendments were recommended |

**I. Summary:**

CS/SB 1720 creates options in the delivery of postsecondary education to give students better access to degree programs. The bill:

- Requires flexibility in the delivery of developmental education in Florida College System institutions to permit students to begin credit courses immediately while they develop the particular skills they need to successfully perform college work;
- Gives Florida colleges the ability to waive all or a portion of tuition and fees in order to provide a bachelor's degree program to Florida residents for \$10,000;
- Authorizes the Board of Governors (BOG) to create an on-line arm of a preeminent research university; and
- Makes the Degree Completion Pilot Program into a permanent degree completion program called Complete Florida Degree Program.

The bill also repeals the requirement for Bright Futures Scholarship recipients to file a Free Application for Student Financial Aid (FASFA) form, codifies the authority of the Board of Governors over state universities in regard to audit findings, and revises general education requirements.

The bill creates science, technology, engineering, arts, and mathematics (STEAM) zones for economic development, workforce training and educational programs in counties where certain research universities are located. The bill authorizes a district school board to contract with a non-profit organization or state or local governmental unit to provide a STEAM school to integrate technology and the arts in the school's academic program.

The bill takes effect July 1, 2013.

CS/SB 1720 amends ss. 11.45, 1001.02, 1001.64, 1004.02, 1004.58, 1004.93, 1006.735, 1007.23, 1007.25, 1007.263, 1007.271, 1008.30, 1008.34, 1008.37, 1009.22, 1009.23, 1009.26, 1009.285, 1009.286, 1009.40, 1009.53, 1009.531, and 1011.84, Florida Statutes.

CS/SB 1720 creates ss. 288.126, 1001.7065, 1002.312, 1008.02, 1008.322, Florida Statutes.

CS/SB 1720 repeals s. 1009.28, Florida Statutes.

## **II. Present Situation:**

### **College Remediation**

All first-time-in-college (FTIC) degree-seeking students, who have not already demonstrated college readiness, must be evaluated in reading, writing, and math prior to initial registration in a public postsecondary educational institution.<sup>1</sup> Students may demonstrate college readiness by meeting specified cut scores on one of four approved assessment tools.<sup>2</sup>

Students who are unable to achieve any of the cut scores established by rule must enroll in developmental (also known as remedial or college-preparatory) instruction courses. A degree-seeking student who is required to complete a developmental education course must successfully complete the required developmental education studies by the time the student has accumulated 12 hours of lower-division college credit degree coursework; however, a student may continue enrollment in degree-earning coursework provided the student maintains enrollment in college-preparatory coursework for each subsequent semester until college-preparatory coursework requirements are completed.<sup>3</sup>

The vast majority of students needing developmental education attend Florida College System (FCS) institutions. With the exception of Florida Agricultural and Mechanical University, state universities are not permitted to offer developmental education courses but may contract with FCS institutions to provide developmental education services for their students in need of remediation.<sup>4</sup>

The practice of requiring students to enroll in non-credit remedial classes before attempting college classes for credit frequently does not lead to student success. Complete College America reports that, "Graduation rates for students who started in remediation are deplorable: Fewer than 1 in 10 graduate from community colleges within three years and little more than a third

---

<sup>1</sup> Rule 6A-10.0315(1), F.A.C.

<sup>2</sup> Rule 6A-10.0315(1), (2), F.A.C.

<sup>3</sup> s. 1008.30(4)(a), F.S.

<sup>4</sup> s. 1008.30(4)(b), F.S.

complete bachelor's degrees in six years.”<sup>5</sup> Complete College America, Inc. recommends that extra academic help be a corequisite, not a prerequisite, to college credit instruction.<sup>6</sup> A joint statement by the Charles A. Dana Center, Complete College America, Inc., the Education Commission of the States, and Jobs for the Future, calls for new core principals to reform remedial education that include completing gateway courses that align with the student's program of study, integrating academic support with a gateway college-credit course, requiring students to enter a meta-major when they enroll in college and begin a program of study in their first year, and using multiple measures to assess students' preparedness for college-level work, and providing accelerated routes for students who are significantly underprepared to enter programs of study.<sup>7</sup>

### **BOG Authority Over State Universities**

The Auditor General is required to annually conduct financial audits of state universities, and at least every three years, conduct operational audits.<sup>8</sup> The audits determine whether financial resources are properly accounted for; whether public officials comply with applicable laws, rules, regulations and other legal requirements; whether proper and effective internal controls are in place over operations; and whether assets are appropriately safeguarded.

BOG Regulation 1.001 requires each board of trustees to establish an audit committee and appropriate policies and procedures for conducting audits of university operations. In addition to internal audits, pursuant to section 11.45(7)(j), F.S., the Auditor General is required to notify the Joint Legislative Audit Committee (JLAC) of any audit review that indicates a state university has failed to take corrective action in response to a recommendation that was included in the two preceding audit reports. If the JLAC determines that the university has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests, the committee may proceed under section 11.40(2), F.S. While section 11.40(2), F.S. provides for JLAC to refer these matters to the appropriate governing authorities for charter schools and special districts, the statute does not address referral to the Board of Governors for university-related matters or to the State Board of Education for college-related matters.

Under s. 1008.32, F.S., the State Board of Education's (SBE) oversight enforcement authority for the Florida College System (FCS) includes the authority to request information, data, and reports from FCS institutions. The Commissioner of Education may investigate allegations of noncompliance with law or SBE rule and determine probable cause and report such findings to the SBE. Once a determination of probable cause for violation of a law or rule is reported to the SBE, the SBE must require the FCS institution's board of trustees to document compliance with the law or rule. If the board of trustees cannot satisfactorily document compliance, the SBE may order compliance within a specified time frame.

---

<sup>5</sup> “Remediation: Higher Education's Bridge to Nowhere”, Complete College America, Inc., 2012, p. 3, readable at : <http://www.completecollege.org/docs/CCA-Remediation-final.pdf>

<sup>6</sup> *Ibid.*, p. 3.

<sup>7</sup> “Core Principals for Transforming Remedial Education: A Joint Statement, Charles A. Dana Center, Complete College America, Inc., the Education Commission of the States, and Jobs for the Future, December 2012, p. 6., readable at : <http://www.ecs.org/docs/STATEMENTCorePrinciples.pdf>

<sup>8</sup> s. 11.45(2), F.S.

**Preeminent State Research University/On-line University**

The 2012 Legislature provided funds to the Board of Governors to obtain the services of a consulting firm that would study on-line education in Florida. Through a competitive bidding process, the contract was awarded to The Parthenon Group. The Scope of Services provided that the study would include, among other requirements, a description of the nature and extent of existing on-line postsecondary programs in Florida; an assessment of educational opportunities needed to boost Florida's economy; options for expanding the awarding of degrees; and, for each option, a ten-year plan for start-up and operating costs, enrollments, degree production, and revenue generated.<sup>9</sup> The report by the Parthenon Group provided four options for on-line postsecondary programs: institutions continuing to independently offer on-line courses and programs; coordinating on-line education state-wide through a single coordinating body; having a lead institution drive the development of new on-line offerings in targeted degrees; or creating a new on-line institution.<sup>10</sup>

The BOG Strategic Planning committee discussed the findings of the Parthenon report and heard testimony from various experts in on-line programs. The committee recommended that the BOG:

1. Use the Strategic Plan preeminence metrics to designate the university which would create a separate arm to provide on-line degree programs of the highest quality, and that funds be requested of the Legislature to support such an effort. The preeminence metrics would be those passed by the 2012 Legislature and approved by the Board for use in the 2012-2013 university workplans. Further, the selected university would create an innovation and research center to (1) ensure the State is a leader in the development of cutting-edge technology and instructional design for the on-line programs and (2) conduct research that would help strengthen on-line degree programs and the success of on-line students.
2. Direct the Chancellor to form a systemwide work group that would report back to the Strategic Planning Committee and continue to work with our colleges and universities and the other delivery systems to determine ways in which services and on-line degree programs, including market-based job analyses, can be better coordinated to ensure state and student needs are being met in a cost-efficient and effective manner.<sup>11</sup>

In a February 21, 2103 conference call the BOG approved the Strategic Planning Committee's recommendations.

Currently, 10 of Florida's 12 state universities offer on-line courses and on-line degree programs. Each institution has its own, independent on-line strategy, with its own marketing, course design, instruction, support services, and IT capabilities. Systemwide, state universities offer a total of 389 on-line programs for undergraduate and graduate certificates, bachelor's degrees, master's degrees, and doctorate degrees. Of the 389 on-line programs currently offered by state

---

<sup>9</sup> Florida Board of Governors, [http://www.flbog.edu/resources/publications/on-line\\_university.php](http://www.flbog.edu/resources/publications/on-line_university.php)

<sup>10</sup> "Summary: Post-Secondary On-line Expansion in Florida", The Parthenon Group, November 7, 2012.

<sup>11</sup> Florida Board of Governors, [http://www.flbog.edu/documents\\_meetings/0176\\_0683\\_5273\\_204%20BOG\\_SPC%20On-line%20Ed\\_AI.pdf](http://www.flbog.edu/documents_meetings/0176_0683_5273_204%20BOG_SPC%20On-line%20Ed_AI.pdf)

universities, only 46 are baccalaureate programs. The majority of these consist of only upper-division courses.<sup>12</sup>

### **Performance Metrics**

The SUS Annual Accountability Report includes metrics including, but not limited to, student retention, graduation rates, degrees granted by level, research expenditures, patents and licenses, and national rankings which are included in university work plans. In addition, the average high school grade point average (GPA) and average SAT scores for each university are calculated annually and published as part of the State University System on-line Fact Book. Additionally, universities regularly report data on performance to a number of nationally recognized organizations including the National Science Foundation (NSF) and the Center for Measuring University Performance<sup>13</sup>

Currently, students who enroll at state universities frequently bring with them several hours of accelerated college credit earned either through Advanced Placement (AP), International Baccalaureate (IB), or dual enrollment courses while in high school. Florida law and the Statewide Articulation Agreement require that these students be given college credit for any such course that counts towards their degree.

### **\$10,000 College Degree at Florida College System Institutions**

On November 26, 2012, Florida Governor Rick Scott issued a challenge to the FCS institutions to develop baccalaureate degree programs that would cost students no more than a total of \$10,000.<sup>14</sup> All 23 Florida College System institutions currently offering baccalaureate degree programs have announced their support for the challenge<sup>15</sup>.

Florida College System institution boards of trustees establish the rate of tuition and out-of-state fees for their respective institutions within parameters established by the Legislature. The rate established by the board of trustees may vary by up to 15 percent above or 10 percent below the combined total of the standard tuition and fees set by law.<sup>16</sup> Tuition and out-of-state fees for upper-division courses must reflect the fact that FCS institutions have a less expensive cost structure than that of state universities.<sup>17</sup> Florida College System boards of trustees are authorized to establish a number of fees including an activity and service fee, financial aid fee, technology fee, and capital improvement fee.<sup>18</sup>

### **Degree Completion Pilot Project**

The 2012 Legislature created the Degree Completion Pilot Project to recruit, recover, and retain the state's adult learners and assist them in completing an associate or baccalaureate degree that is aligned to high-wage, high-skill workforce needs<sup>19</sup>. The Pilot is led by the University of West

---

<sup>12</sup> Florida Board of Governors bill analysis for SB 1720, on file with the Senate Education Committee.

<sup>13</sup> *Ibid.*

<sup>14</sup> Executive Office of the Governor, news release, readable at: <http://www.flgov.com/2012/11/26/governor-rick-scott-announces-governors-10000-degree-challenge-to-make-college-more-affordable/>

<sup>15</sup> Executive Office of the Governor, news release, readable at: <http://www.flgov.com/2013/01/28/gov-scott-announces-all-23-florida-state-colleges-with-baccalaureate-degrees-have-accepted-10k-degree-challenge/>

<sup>16</sup> s. 1009.23(4), F.S.

<sup>17</sup> s.1009.23(2)(b), F.S.

<sup>18</sup> s. 1009.23, F.S.

<sup>19</sup> s. 1006.735, F.S.

Florida, in collaboration with other FCS and SUS institutions statewide. However, funding for the pilot, set by the 2012 General Appropriations Act at approximately \$2.5 million, was vetoed by the Governor.

### **General Education Requirements**

The 2012 Legislature reduced the number of required general education course credit hours from 36 to 30, for the purpose of providing institutions with flexibility in developing a solid foundation for students enrolled in their undergraduate programs, beginning with students initially entering a FCS institution or state university in 2014-2015.<sup>20</sup> However, the Southern Association of Colleges and Schools (SACS) Commission on Colleges informed institutions that a reduction in general education credit hours would constitute a substantive change requiring SACS approval. Each FCS institution and state university would be required, for accreditation purposes, to submit to SACS formal notice of the reduction at least six months in advance of implementation in 2013.

### **FASFA Requirement**

The 2011 Legislature required students who receive funds under the Florida Bright Futures Scholarship Program, the William L. Boyd, IV, Florida resident access grant (FRAG), and the Access to Better Learning and Education (ABLE) Grant Program, to submit a complete and error-free Free Application for Federal Student Aid (FAFSA) as a condition of eligibility. The Bright Futures Scholarship is a merit scholarship, whereas the FRAG and ABLE grants are tuition assistance payments that are not based on merit or need. The Legislature required students to submit the FASFA to gather more comprehensive data on students who are provided state student financial aid in programs that are not based on the student's financial need. Some parents of Bright Futures Scholarships complained that they did not want to be compelled to disclose family financial information in order for their child to be eligible for a merit-based scholarship.

### **High School Grades<sup>21</sup>**

For Florida's high school grading system, the state assessment-based components are weighted at 50 percent of the high school grade,<sup>22</sup> while the other 50 percent of the available school grade points are weighted toward component areas that directly measure, or are otherwise essential to, career and college readiness (i.e., graduation rate, participation and performance in advanced curricula, including national industry certifications), and postsecondary readiness in reading and mathematics.<sup>23</sup> These additional components for measuring high school performance were implemented beginning in 2009-2010 to provide a more comprehensive measure of high schools' effectiveness in preparing students for success after graduation.

The high school grading formula includes points for accelerated coursework participation and performance for students in grades 9-12, which is based on Advanced Placement (AP), International Baccalaureate (IB), Advanced international Certificate of Education Program (AICE), dual enrollment, and industry certification<sup>24</sup> exams and courses.<sup>25</sup>

---

<sup>20</sup> ch. 2012-195, L.O.F.

<sup>21</sup> s. 1008.34(3)(b), F.S.

<sup>22</sup> s. 1008.34(3)(b)1., F.S.

<sup>23</sup> s. 1008.34(3)(b)3., F.S.

<sup>24</sup> Industry courses and exams are those leading to national industry certification identified in the Industry Certification Funding List, pursuant to SBE rules.



### Research Universities

The significance and status of university research is measured in a number of ways: by the accomplishments of its research faculty, the volume of research conducted at the institution, and the amount of funds expended on research, among other measures. In the United States, rankings of universities by the Carnegie Foundation for the Advancement of Teaching,<sup>26</sup> the Center for Measuring University Performance,<sup>27</sup> and U.S. News and World Report<sup>28</sup> contribute to the public perception of a research university's standing in relation to other universities. The University of Florida is the only one of Florida's state universities in the Association of American Universities (AAU),<sup>29</sup> an organization of 61 top research universities in the United States and Canada.

### Enterprise Zones

The Legislature established the state's enterprise zone program in 1982<sup>30</sup> to encourage economic development in economically distressed areas of the state by providing incentives and inducing private investment. There are currently 65 enterprise zones designated throughout the state.<sup>31</sup> The program is set to expire on December 31, 2015.<sup>32</sup>

The Department of Economic Opportunity (DEO) reported that from October 1, 2010, through September 30, 2011, 4,103 new businesses moved into or were created in state enterprise zones. DEO also reported that 11,559 new jobs were created by businesses located within state enterprise zones, and that \$22,950,900 in state tax incentives were approved by the Department of Revenue (DOR) during this time period. The total amount of tax incentives approved decreased from \$67,602,482 during the 2009/2010 period. Local governments provided over \$33 million in incentives for the enterprise zone program during the 2010/2011 time period.<sup>33</sup>

Sections 290.001-290.016, F.S., authorize the creation of an enterprise zone and establish criteria and goals for the program. Prior to submitting an application for an enterprise zone, a local government body must determine that an area:

- Has chronic extreme and unacceptable levels of poverty, unemployment, physical deterioration, and economic disinvestment;
- Needs rehabilitation or redevelopment for the public health, safety, and welfare of the residents in the county or municipality; and
- Can be revitalized through the inducement of the private sector.

<sup>25</sup> s. 1008.34(3)(b)3.b., F.S.

<sup>26</sup> <http://classifications.carnegiefoundation.org/index.php?key=782>

<sup>27</sup> <http://mup.asu.edu/research.html>

<sup>28</sup> <http://colleges.usnews.rankingsandreviews.com/best-colleges>

<sup>29</sup> <http://www.aau.edu>

<sup>30</sup> Ch. 82-119, L.O.F.

<sup>31</sup> Ch. 2012-32, L.O.F., authorized Citrus County and Charlotte County to apply to DEO for enterprise zone designation. Both enterprise zones were approved by DEO with an effective date of January 1, 2013.

<sup>32</sup> The program is repealed by ch. 2005-287, L.O.F.

<sup>33</sup> Department of Economic Opportunity, *Florida Enterprise Zone Program Annual Report, October 1, 2010 – September 30, 2011*, (March 1, 2012, reissued April 2, 2012), available at: [http://www.floridajobs.org/about%20aw/open\\_government/2012\\_EnterpriseZoneAnnual.pdf](http://www.floridajobs.org/about%20aw/open_government/2012_EnterpriseZoneAnnual.pdf), (last visited on January 23, 2013).

The Department of Economic Opportunity (DEO) is responsible for approving applications for enterprise zones, and also approves changes in enterprise zone boundaries when authorized by the Legislature. As part of the application process for an enterprise zone, the county or municipality in which the designation will be located also is responsible for creating an Enterprise Zone Development Agency and an enterprise zone development plan.

Florida's enterprise zones qualify for various incentives from local governments. Examples include: utility tax abatement, reduction of local business taxes, reduced building permit fees or land development fees, and local funds for capital projects.

Available state sales tax incentives for enterprise zones include:

- Building Materials Used in the Rehabilitation of Real Property Located in an Enterprise Zone: Provides a refund for sales taxes paid on the purchase of certain building materials, up to \$5,000 or 97 percent of the tax paid.<sup>34</sup>
- Business Equipment Used in Enterprise Zones: Provides a refund for sales taxes paid on the purchase of certain equipment, up to \$5,000 or 97 percent of the tax paid.<sup>35</sup>
- Rural Enterprise Zone Jobs Credit against Sales Tax: Provides a sales and use tax credit for 30 or 45 percent of wages paid to new employees who live within a rural county.<sup>36</sup>
- Urban Enterprise Zone Jobs Credit against Sales Tax: Provides a sales and use tax credit for 20 or 30 percent of wages paid to new employees who live within the enterprise zone.<sup>37</sup>
- Business Property Used in an Enterprise Zone: Provides a refund for sales taxes paid on the purchase of certain business property, up to \$5,000 or 97 percent of the tax paid per parcel of property, which is used exclusively in an enterprise zone for at least 3 years.<sup>38</sup>
- Community Contribution Tax Credit: Provides a 50 percent sales tax refund for donations made to local community development projects.<sup>39</sup>
- Electrical Energy Used in an Enterprise Zone: Provides a 50 percent sales tax exemption to qualified businesses located within an enterprise zone on the purchase of electrical energy.<sup>40</sup>

Available state corporate income tax incentives for enterprise zones include:

- Rural Enterprise Zone Jobs Credit against Corporate Income Tax: Provides a corporate income tax credit for 30 or 45 percent of wages paid to new employees who live within a rural county.<sup>41</sup>
- Urban Enterprise Zone Jobs Credit against Corporate Income Tax: Provides a corporate income tax credit for 20 or 30 percent of wages paid to new employees who live within the enterprise zone.<sup>42</sup>
- Enterprise Zone Property Tax Credit: Provides a credit against Florida corporate income tax on ad valorem taxes paid on the new or improved property. The credits may not exceed total

<sup>34</sup> Section 212.08(5)(g), F.S.

<sup>35</sup> Section 212.08(5)(h), F.S.

<sup>36</sup> Section 212.096, F.S.

<sup>37</sup> *Id.*

<sup>38</sup> *Supra*, note 6.

<sup>39</sup> Section 212.08(5)(p), F.S.

<sup>40</sup> Section 212.08(15), F.S.

<sup>41</sup> Section 220.181, F.S.

<sup>42</sup> *Id.*

ad valorem taxes paid. Credits may not exceed \$25,000 in a single year or \$50,000 if at least 20 percent of a business's employees live in the enterprise zone.<sup>43</sup>

- Community Contribution Tax Credit: Provides a 50 percent credit on Florida corporate income tax or insurance premium tax, or a sales tax refund, for donations made to local community development projects.<sup>44</sup>

In addition to the abovementioned incentives, participants in the Qualified Target Industry Tax Refund program who locate their project in an enterprise zone are eligible to receive a double tax refund payment per eligible job created.<sup>45</sup>

### III. Effect of Proposed Changes:

#### **Remedial Education in Colleges and Universities**

CS/SB 1720 replaces college preparatory instruction with developmental education. The bill repeals the authority for Florida College System institutions to provide college preparatory instruction as stand-alone non-credit courses and requires instead developmental education—skill-building instruction—that is co-requisite with credit courses. The bill repeals the authorization for institutions to use Florida College System program funds for remedial education and authorizes using the funds for developmental education.

The bill changes requirements related to testing, placement, and instructional requirements and options for preparing students with communication and computation skills necessary to succeed in college-level work and directs state and local boards to develop rules and requirements to implement the change from college preparatory education to developmental education.

Developmental education may be implemented through an accelerated course structure which allows students to attain specific skills at their own pace and through corequisite education, which means that developmental education is required along with a credit course. Developmental education may be provided through modularized instruction or embedded in the credit-bearing course. The credit course may be offered over an extended period of time, such as two semesters instead of one. Entering students will be able to enroll in gateway courses, the entry-level courses for their meta-major. A meta-major is a group of programs of study that share common foundational skills. By October 1, 2013, The State Board of Education in conjunction with the BOG must approve a series of meta-majors and identify the gateway courses required for success in each meta-major.

By January 1, 2014, the State Board of Education must adopt rules to implement developmental education which must include:

- Student achievements that may be considered by institutional boards, such as performance on college placement tests, grade point averages, work history, military experience, career interests, degree major declaration;

---

<sup>43</sup> Section 220.182, F.S.

<sup>44</sup> See ss. 220.183 and 624.5105, F.S.

<sup>45</sup> Section 288.106, F.S. A business approved by DEO for the Qualified Target Industry Tax Refund program normally receives a tax refund of \$3,000 per eligible job. This amount is doubled to \$6,000 per job if the business is located in an enterprise zone.

- Recommended options for students performing at levels indicating adult education as an appropriate place for students to develop needed college-entry skills;
- Sufficient flexibility for local professional judgment and determinations of appropriate student options for achieving necessary skills; and
- Limits on credit course enrollment for students indicating the need for college preparatory assistance in two or more content areas.

The bill authorizes colleges to charge fees for developmental education and repeals the authorization to charge fees for non-credit remedial courses. The current requirement for a student to pay 100 percent of the cost of a college-credit course after taking the course twice is changed to require a student to pay 100% of cost of instruction after taking a credit course once except for students enrolled in a gateway course.

### **\$10,000 College Degree at Florida College System Institutions**

The bill authorizes a Florida College System institution to waive any or all of tuition and the fees that are indexed to tuition, plus the distance-learning user fee when applicable, in order to provide a baccalaureate degree for Florida residents that costs no more than \$10,000 for tuition and specified fees.

### **Repeal of FASFA Requirement for Bright Futures Scholarship Recipients**

The bill repeals the requirement for Bright Futures Scholarship recipients to submit a Free Application for Federal Student Aid (FAASFA) form in order to be eligible to receive the scholarship.

### **Preeminent University/On-line Postsecondary Education**

The bill grants the BOG authority to designate a qualifying institution as a preeminent state research university if it has met the benchmarks for 11 of the 12 specified standards. The state university that has attained the highest level on the academic and research standards for preeminence must establish a fully on-line arm of the university, subject to funds appropriated by the Legislature. The bill creates a board of directors to develop, implement, and oversee the business aspects of the university's on-line arm. The academic quality, accreditation, and curricular standards of the on-line arm are the responsibility of the university president and board of trustees, in conjunction with the Board of Governors.

Membership of the on-line arm's board of directors is specified, with appointments being made by the university president, chair of the Board of Trustees, the Governor, the Senate President, the House Speaker, the chair of the Board of Governors, and the chair of the Florida Polytechnic Board of Trustees. The university president and the Board of Trustees chair appoint "permanent" members.

The proposed language requires the university to offer, as part of its on-line arm, a fully on-line Masters in Business Administration degree program. The board of directors may set market rate tuition for nonresident students for all programs to be offered through the on-line arm. Currently, an institution's Board of Trustees submits a proposal to the Board of Governors for approval to set market rate tuition for graduate-level on-line programs or graduate-level programs offered through a university's continuing education program.

The state research university that attains the second highest level on the academic and research standards for preeminence is required to recruit National Academy Members, expedite provision of a master's degree in cloud virtualization, and institute an entrepreneurs-in-residence program throughout its campus, subject to funds appropriated by the Legislature.

### **Preeminent State Research University Special Courses**

The bill authorizes a preeminent state research university to establish special course requirements for incoming first-time-in-college students to take a 9-to-12 credit set of courses specifically determined by the university. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to ss. 1007.27 or 1007.271, F.S., or other transfer credit. Any accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271, F.S., must be applied toward graduation at the student's request.

### **University Flexibility**

The Board of Governors is instructed to identify and grant all reasonable feasible authority and flexibility to keep designated preeminent universities free from unnecessary restrictions. It is the Board's constitutional responsibility to "operate, regulate, control, and be fully responsible for the management of the whole university system. These responsibilities shall include, but not be limited to ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs."<sup>46</sup> The bill also encourages the Board of Governors to identify individual programs within state universities that objectively reflect national excellence and to make recommendations to the Legislature as to how any such programs could be enhanced and promoted.

### **Revision of General Education Requirements**

The bill extends implementation of the revised core course requirements for one year, from 2014-15 to 2015-16. This extension will allow additional time for each institution's faculty review, approval, and implementation processes for academic curricular revisions to occur. The bill also allows for the inclusion of an additional core course option, if recommended by a faculty discipline committee and approved by the Articulation Coordinating Committee. This amendment will provide a deliberative process for specific courses to be reviewed and proposed for inclusion in the general education core under the oversight of faculty in each academic discipline.

The bill reinstates the general education credit hour requirement to 36 semester hours from the proposed 30 hours. The core general education requirements will remain at 15 semester hours while the institutionally-specific portion will be provided the additional six hours of flexibility, thereby raising that component of the general education requirements to 21 semester hours. The reinstatement of the 36 credit hour requirement will also address accreditation concerns identified by SACS.

### **High School Grades**

The bill revises the procedure for calculating high school grades to require that equal weight be assigned to the participation and performance of students who participate in a certified school-wide college readiness system that includes enrollment in an elective class recognized in the

---

<sup>46</sup> Art. IX, s. 7(d), Florida Constitution.

Course Code Directory. The course must be designed to provide students who are taking college preparatory or advanced course with academic instruction and other support.

### **BOG Oversight of Universities**

The bill provides the Board of Governors with the same oversight enforcement authority over state universities that the SBE has over FCS institutions. The bill amends s. 1008.32, F.S., to conform language concerning the withholding of discretionary lottery funds to new s. 1008.322, F.S. The bill also provides for the JLAC to refer college and university-related matters to the SBE and Board of Governors, respectively, in the event JLAC determines that a college or university has failed to take full corrective action.

### **Complete Florida Degree Program**

The Degree Completion Pilot Project is renamed as the Complete Florida Degree Program, and the implementation date is changed to 2013-2014, with a project work plan being submitted by September 1, 2013. The University of West Florida remains the lead institution and is directed to coordinate with other Florida College System institutions, state universities, and private postsecondary institutions in the implementation of the program. Language is deleted which would have transferred the pilot to the Florida Virtual Campus.

An evaluation report must be submitted to the participating institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor. A detailed project plan is to be submitted to the chairs of the legislative appropriations committee, but no mention is made of the chancellors or their respective boards.

### **STEAM Zones**

The bill requires the Department of Economic Opportunity to create science, technology, engineering, arts, and mathematics (STEAM) zones in counties where state universities classified by the Carnegie foundation as research universities with very high research activity<sup>47</sup> are located. The STEAM zones would be economic development zones similar to the state's enterprise zones which are created under ch. 290, F.S. Each county in which the research university is located is required to appoint a STEAM zone development agency which must be a non-university, not-for-profit corporation.

The bill requires the STEAM zone development agency to appoint a STEAM zone development board of 9-12 commissioner and provides for membership and duties of the board. The board's duties include:

- Identifying ways to remove regulatory barriers;
- Offering incentives to a school district, charter school, or private school to implement and fully use an industry certification program in STEAM;
- Working with state universities and colleges to incorporate industry certification programs and internships for students who are pursuing degrees in STEAM fields; and
- Working with companies within the STEAM zone to develop training and industry certification programs that are needed locally.

---

<sup>47</sup> The four research universities classified by the Carnegie foundation as having very high research activity are Florida State University, the University of Central Florida, the University of Florida, and the University of South Florida. Thus the four counties where a STEAM zone would be established are Alachua, Hillsborough, Leon, and Orange Counties.

STEM zones would be entitled to incentives and benefits provided for enterprise zones. The local governing body of the STEM zone would be required to provide up to \$300,000 in state credits, refunds, and exemptions per designated STEM zone. The local governing body would certify to DOR or DEO that the business is eligible to receive state incentives according to their statutory requirements.

DEO is also charged with developing a high-tech grant competitive program for a STEAM zone to encourage and reward groundbreaking ideas that greatly expand innovation, commercialization, and new enterprise formation across the state.

### **STEAM Schools**

The bill authorizes a district school board to contract with a non-profit agency or a state or local governmental unit to provide a STEAM school which would provide a full educational STEAM program integrating technology and the arts. A steam school must:

- Be provider at the site of the non-profit organization or governmental unit;
- Have a curriculum that is supervised by the district school board's curriculum office;
- Receive a portion of the FTE funding provided to the school district;
- Conduct the highest level of background check for employees and volunteers; and
- Have performance outcomes that demonstrate integration of technology and the arts.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

## **V. Fiscal Impact Statement:**

### **A. Tax/Fee Issues:**

None.

### **B. Private Sector Impact:**

The options provided to students in this bill—more flexibility in achieving necessary academic skills while earning college credit, increased options for on-line education, and degree recovery options for student returning to a university will be of benefit to the students and will better prepare them for employment.

**C. Government Sector Impact:**

The BOG could incur additional workload in implementing the on-line arm of the preeminent research university.

Faculty of colleges and universities will be engaged in the identification of meta-majors. Both the BOG and the FCS will incur additional workload in coordinating the identification of the meta-majors.

According to the Department of Education, developmental education contributed 8.75 percent of Florida College System Operating expenditures in 2010-2011, or \$172.3 million of a \$1.9 billion budget. For that same year, developmental education accounted for 10 percent of the total FTE. Under the bill, colleges will no longer be able to enroll students in non-credit remedial courses. The developmental education required by this bill will have costs associated with it that were formerly paid by students paying tuition for non-credit courses.

There will be a revenue impact due to an increase in available tax credits created within the STEAM zones created in the bill. Responsibility as described in the bill relating to local governing units within the zones will be impacted. It is unclear whether a local governing body can approve and administer state incentives, credits, and refunds.

**VI. Technical Deficiencies:**

The term “certified schoolwide college readiness system”, referenced in section 1008.34, F.S., is undefined.

**VII. Related Issues:**

The state constitution requires the BOG to establish the powers and duties of the state university boards of trustees. BOG Regulation 1.001(6) requires the board of trustees to be responsible for the financial management of the university. Standard 3.2 of the Southern Association of Colleges and Schools (SACS) requires the institution’s governing body (i.e., Board of Trustees) to have legal authority and operating control of the institution, including its fiscal stability. Giving the board of directors of the on-line arm of the preeminent research university the authority to contract and to oversee the business aspect of the on-line arm, with no ultimate accountability to the Board of Trustees, could create concerns for SACS, the institution’s accrediting body. According to the BOG, there are four instances in which the Board of Trustees recommends an action to the board of directors, with the board of directors making the final decision. This decision-making structure could generate concerns by SACS because of its Standard 3.2:

- Offering of fully on-line Master’s degree programs;
- Development and offering of competency-based courses and programs;
- Expansion of on-line baccalaureate programs; and
- Differentiating tuition by degree program<sup>48</sup>

---

<sup>48</sup> Florida Board of Governors bill analysis for SB 1720, on file with the Senate Education Committee.



**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education on March 12, 2013:**

The Committee Substitute differs from SB 1720 in the following ways:

- Revises procedures for the on-line university to conform to HB 7057, including:
  - Clarifying that tuition is set in the general Appropriations Act;
  - Removing authorization for the board of directors of the on-line arm to recommend a fee structure for optional services, such as career placement;
  - Requiring the capital improvement trust fund fee to be dedicated to the university's on-line research center;
  - Authorizing charging a student for the cost of a hard-copy textbook or lab supplies;
  - Requiring the university to accept financial aid and advance payment contracts, and does not specify financial aid programs by name; and
  - Not designating that a portion of the revenues from the on-line arm be used for the university's innovation hub.
- Revises the criteria for determining school grades to require that equal weight be given to students who participate and perform in a school-wide college readiness system.
- Authorizes a district school board to enter into contracts with a non-profit corporation to provide science, technology, engineering ,arts, and mathematics (STEAM) schools to provide an educational program that integrates technology and the arts
- Requires the Department of Economic Development to create economic development zones related to STEAM in an area with a research university that is classified by the Carnegie foundation as having very high research activity.

**B. Amendments:**

None.



784732

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

The Committee on Education (Galvano) recommended the following:

**Senate Amendment**

Delete lines 421 - 478

and insert:

1. For students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at no more than 75 percent of the tuition rate as specified in the General Appropriations Act pursuant to s. 1009.24(4) and 75 percent of the tuition differential pursuant to s. 1009.24(16). No distance learning fee or fee for campus facilities or on-campus services may be assessed, except that online students shall pay the university's technology and financial aid fees and the Capital Improvement Trust Fund fee.



784732

The Capital Improvement Trust Fund fee shall be dedicated to the university's online research center.

2. For students classified as nonresidents for tuition purposes, tuition may be set at market rates as directed and authorized by the board of directors in accordance with the business plan.

3. Tuition for the online degree programs shall include all costs associated with the program, including, but not limited to, instruction, materials, and enrollment. However, an online student may be charged the cost of any hard-copy textbook and any physical laboratory supplies necessary for the program.

4. Subject to the limitations in subparagraph 1., tuition may be differentiated by degree program as appropriate to the instructional and other costs of the program and as recommended by the university president and board of trustees and authorized by the board of directors in accordance with the business plan. Pricing must incorporate innovative approaches that incentivize persistence and completion, including, but not limited to, fee for assessment, bundled or all-inclusive rate, and sliding scale features.

5. The university must accept advance payment contracts and student financial aid.

6. The board of directors shall ensure that 50 percent of the net revenues generated from the online arm of the university is used to enhance and enrich the online arm of the university and 50 percent of the net revenues generated from the online arm of the university is used to enhance and enrich the university campus's state-of-the-art research programs and facilities.

(5) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT



784732

INITIATIVE.—The state research university that has attained the second highest level on the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall recruit National Academy members, expedite provision of a masters degree in cloud virtualization, and institute an entrepreneurs-in-residence program throughout its campus, subject to funds appropriated by the Legislature.

(6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENTS AUTHORITY.—In order to provide a jointly shared educational experience, a state university that is designated a preeminent state research university may require its incoming first-time-in-college students to take a 9-credit to 12-credit set of courses specifically determined by the university. The state university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.



226584

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

The Committee on Education (Legg) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 489 and 490

insert:

Section 5. Section 288.126, Florida Statutes, is created to read:

288.126 Science, technology, engineering, arts, and mathematics zone programs.—

(1) The Department of Economic Opportunity shall create economic development zones relating to science, technology, engineering, arts, and mathematics (STEAM). All incentives and benefits provided for an enterprise zone pursuant to state law must be available to a STEAM zone designated pursuant to this



226584

section. A STEAM zone must be created in a county that has a state university classified by the Carnegie Foundation for the Advancement of Teaching as having very high research activity. The integration of arts and technology is a subset of a STEAM zone.

(2) Each county that has a qualifying research university may apply to the department to receive the designation as a STEAM zone. In the application, the county must appoint a STEAM zone development agency. The STEAM zone development agency must:

(a) Be a nonuniversity not-for-profit corporation under s. 501(c)(3) of the Internal Revenue Code.

(b) Have experience with both private not-for-profit partnerships and public not-for-profit partnerships.

(c) Have a facility with a minimum of 10,000 square feet of exhibit educational conference space.

(d) Employ at least five full-time, in-house educational and training staff employees.

(e) Have experience with federal educational and science-related grants.

(f) Create and submit quarterly reports to the governing body of the county which evaluates the progress in implementing the strategic plan or measurable goals set by the STEAM zone development board as described in subsection (3).

(3) (a) The STEAM zone development agency shall appoint a STEAM zone development board. The board shall consist of at least nine, but not more than 12, commissioners. At least two commissioners must be associated with the STEAM zone development agency, two commissioners must come from the host county, and two commissioners must be from local for-profit or not-for-



226584

profit corporations whose business is related to science, technology, engineering, arts, and mathematics programs. At least one commissioner must be from each of the following areas:

1. A qualifying research institution.

2. A local school district.

3. A municipality.

(b) The STEAM zone development board shall:

1. Assist in the development, implementation, and annual review and update of the strategic plan or measurable goals.

2. Oversee and monitor the implementation of the strategic plan or measurable goals.

3. Identify and recommend to the local governing body of the county or the municipality ways to remove regulatory barriers.

4. Identify for a county or municipality the financial needs of and local resources or assistance available to eligible businesses in the zone.

5. Promote the STEAM zone incentives to residents and businesses within the STEAM zone.

6. Make recommendations to the county for boundary changes in a STEAM zone such that a STEAM zone does not exceed 2 square miles.

7. Work with organizations affiliated with a high-ranking state research university to promote the purpose and goals of the STEAM zone.

8. Dispense funds to promote, develop, and expand the STEAM zone and educational training programs.

9. Work with companies within the STEAM zone to develop training and certification programs needed to train a workforce



226584

72 to have skills that are needed by companies and businesses in  
73 this state.

74 10. Work with Workforce Florida, Inc., to retrain, educate,  
75 and certify unemployed workers in industry certifications.

76 11. Work with Workforce Florida, Inc., to develop and make  
77 available grant programs within the STEAM zone which foster the  
78 expansion of workforce industry certification education and  
79 training strategies, activities, and resources in conjunction  
80 with one-stop career centers in the region.

81 12. Provide directives to the STEAM zone development  
82 agency.

83 (4) (a) In order to provide incentives, each county that has  
84 jurisdiction over a STEAM zone must, by local ordinance,  
85 establish the boundary of the STEAM zone, specify applicable  
86 standards, and determine eligibility criteria for the  
87 application of state and local incentives and benefits in the  
88 STEAM zone. However, in order to receive benefits provided under  
89 s. 288.106, a business must be a qualified target industry  
90 business under s. 288.106 for state purposes. A STEAM zone's  
91 boundary may be revised by local ordinance. Such incentives and  
92 benefits include those in ss. 212.08, 212.096, 220.181, 220.182,  
93 220.183, 220.196, 288.106, and 624.5105 and the public utility  
94 discounts provided in s. 290.007(8). For purposes of this  
95 section, any applicable requirements for employee residency for  
96 higher refund or credit thresholds must be based on employee  
97 residency in the STEAM zone or an enterprise zone.

98 (b) A county that has a designated STEAM zone in its  
99 jurisdiction may waive impact fees for new construction within  
100 the STEAM zone.





226584

101       (c) The Department of Economic Opportunity and each county  
102 that has a STEAM zone in its jurisdiction shall review rules or  
103 regulations that affect the relocation or expansion of a  
104 business to a STEAM zone to determine if a rule or regulation  
105 may be modified or repealed to facilitate relocation or  
106 expansion.

107       (5) The department shall develop a high-technology grant  
108 program that applies to the STEAM zone. The grant program shall  
109 solicit competitive applications from organizations that propose  
110 to encourage and reward groundbreaking ideas that greatly expand  
111 innovation, commercialization, and new enterprise formation  
112 across the state. A grant shall be awarded to applicants who  
113 submit the best strategies to:

114       (a) Create proof-of-concept centers that greatly increase  
115 innovation within their organizations; or

116       (b) Create processes to commercialize or implement  
117 innovation and build networks that can use that innovation and  
118 entrepreneurship for local economic development.

119       (6) The STEAM zone development agency, with the cooperation  
120 of other state agencies, shall:

121       (a) Partner with science, technology, engineering, arts, or  
122 mathematics companies, Workforce Florida, Inc., and local  
123 workforce boards to offer workforce training programs to train  
124 unemployed, underemployed, and new workers in skills that are  
125 needed in the science, technology, engineering, arts, or  
126 mathematics field.

127       (b) Offer industry certifications from approved programs  
128 for persons who traditionally are not typical candidates to  
129 transition into science, technology, engineering, arts, or



226584

mathematics careers; ease the transition for dislocated or  
transitioning workers into science, technology, engineering,  
arts, or mathematics field; and integrate state, regional, and  
local efforts into a more powerful set of partnerships and  
coordinated strategies.

(c) Enhance the production of more and better industry-  
certified workers in the science, technology, engineering, arts,  
and mathematics fields through investment of department  
resources and through greater integration and alignment of  
existing public and private resources, so that more workers have  
access to industry certification opportunities.

(d) Stimulate and support innovation, entrepreneurship, and  
economic growth that can expand employment opportunities in the  
science, technology, engineering, arts, and mathematics fields  
by:

1. Increasing funding for grant opportunities in order to  
implement additional educational programming related to science,  
technology, engineering, arts, and mathematics.

2. Offering incentives to a school district, a charter  
school, or a private school to implement and fully use an  
industry certification program in science, technology,  
engineering, arts, and mathematics.

3. Creating regional centers of education and research for  
science, technology, engineering, arts, and mathematics. The  
regional centers are a pipeline for students who excel in  
science, technology, engineering, arts, and mathematics to their  
respective research universities in this state.

4. Providing an industry certification program for science,  
technology, engineering, arts, and mathematics to meet workforce



226584

demands of industry.

5. Promoting the pursuit of careers in science, technology, engineering, arts, and mathematics among underrepresented students in grades kindergarten through 12.

6. Sponsoring an advertising campaign designed to encourage local youth, particularly African Americans, Latin Americans, and women, to consider careers in fields of science, technology, engineering, arts, and mathematics.

7. Working with the state universities and colleges to incorporate industry certification programs and internships for students who are pursuing degrees related to science, technology, engineering, arts, and mathematics which further enhance their education.

(7) The department, in cooperation with the STEAM zone development agency, the Department of Education, and Workforce Florida, Inc., shall develop accountability requirements and measureable objectives that include:

(a) Requiring companies to:

1. Sign an agreement with the STEAM zone development agency to agree to be a partner in some form of education, volunteerism, internship, or event in order to encourage and excite the community and children in this state's education system about fields related to science, technology, engineering, arts, or mathematics.

2. Participate in a corporate training program.

3. Submit to an annual audit by the state or local board if a tax credit, grant, loan, or other public assistance is received.

(b) Establishing outcome-based, quantitative performance



226584

metrics to ensure the mission of the STEAM zone is being carried out.

(c) Reporting annually to the Legislature on the progress of administering this section.

(d) Developing measurable objectives for each STEAM zone to be monitored by the STEAM zone development board with the goal of creating more jobs in the fields of science, technology, engineering, arts, and mathematics; producing a workforce that is highly qualified; and improving the quality of life in the state.

(8)(a) Effective July 1, 2013, the total amount of state credits, refunds, and exemptions that may be provided in a given state fiscal year by each county that has jurisdiction over a STEAM zone to eligible businesses for STEAM zone economic incentives pursuant to this section is \$300,000 per designated STEAM zone. The county that has jurisdiction over a STEAM zone shall disallow a credit or refund for which an application is submitted after the zone's respective \$300,000 limit is reached. If the \$300,000 incentive cap is not fully used in any one state fiscal year by a STEAM zone, the county that has jurisdiction over a STEAM zone shall allocate the incentives, verify that businesses receiving such incentives are eligible for the incentives provided, and ensure that the incentives provided do not exceed the cap for the state fiscal year.

(b) Upon approving an incentive for an eligible business, the county that has jurisdiction over a STEAM zone shall provide the taxpayer with a certificate indicating the name and federal employer identification number of the eligible business, the date the incentive is provided, the name of the STEAM zone, the



226584

incentive type, and the incentive amount. The county that has jurisdiction over a STEAM zone shall certify to the Department of Revenue or the Department of Economic Opportunity, whichever is applicable, the businesses or properties that are eligible to receive the state incentives under statutory requirements. The county that has jurisdiction over a STEAM zone shall provide a copy of the certificate to the Department of Revenue and the Department of Economic Opportunity as notification that such incentives were approved for the specific eligible business or property. For incentives to be claimed against the sales and use tax under chapter 212, the Department of Revenue shall send, within 14 days after receipt, written instructions to an eligible business on how to claim the credit on a sales and use tax return initiated through an electronic data interchange. Any credit against the sales and use tax shall be deducted from any sales and use tax remitted by the business to the Department of Revenue by electronic funds transfer and may be deducted only on a sales and use tax return initiated through an electronic data interchange. The business shall separately state the credit on the electronic return. The net amount of tax due and payable must be remitted by electronic funds transfer.

Section 6. Section 1002.312, Florida Statutes, is created to read:

1002.312 Science, Technology, Engineering, Arts, and Mathematics (STEAM) schools.—

(1) A district school board may establish a Science, Technology, Engineering, Arts, and Mathematics (STEAM) school by contracting with a nonprofit organization or a state or local governmental unit to provide a full educational STEAM program



226584

that integrates science, technology, engineering, or mathematics with the visual or performing arts, creative writing, or design. An organization that contracts with a district school board to establish a STEAM school may include, but is not limited to, an art museum, a performing arts organization, a state university, a Florida College System institution, a charter school, a civic organization, or a state or local governmental unit.

(2) The contract between the district school board and the organization that provides the STEAM school must specify:

(a) That the STEAM school will be located at the site of the nonprofit organization.

(b) That the STEAM educational program will be supervised by the district school board's curriculum office.

(c) The percentage of FTE funding that the district school board will pay to the STEAM school.

(d) Sources of funding in addition to FEFP funding, such as state or local funds, if the district school board contracts with a state or local governmental unit to establish the STEAM school.

(e) A description of the STEAM school's property insurance and liability insurance.

(f) That each employee, contract worker, or volunteer that has direct student contact will undergo a state and national background screening pursuant to s. 943.0542, and that the STEAM school will deny employment to, or terminate, an employee or volunteer if he or she fails to meet the screening standards under s. 435.04.

(3) Performance outcomes must demonstrate an integration of technology and the arts.



226584

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Delete line 66

and insert:

in other state universities; creating s. 288.126,  
F.S.; requiring the Department of Economic Opportunity  
to create economic development zones for science,  
technology, engineering, arts, and mathematics;  
authorizing a science, technology, engineering, arts,  
and mathematics (STEAM) zone in a county with a state  
university classified as having very high research  
activity located in the county's jurisdiction;  
authorizing the county to apply to the department for  
a STEAM zone designation; requiring the county to  
appoint a STEAM zone development agency in its  
application; providing criteria for the STEAM zone  
development agency; requiring the STEAM zone  
development agency to appoint a STEAM zone development  
board; providing criteria for the board; providing  
duties of the board; requiring a local governing body  
that has jurisdiction over a STEAM zone to establish  
the boundary of the STEAM zone, specify applicable  
standards, and determine certain eligibility criteria;  
specifying the incentives and benefits available in  
the STEAM zones; requiring the department to develop a  
grant program that applies to a STEAM zone; providing  
criteria for the awarding of a grant; directing the  
STEAM zone development agency to perform certain



226584

functions; requiring the department to work with the STEAM zone development agency, the Department of Education, and Workforce Florida, Inc., to develop accountability requirements and measurable objectives; providing criteria; providing a monetary incentive cap on the total amount of state credits, refunds, and exemptions that may be provided to eligible businesses for STEAM zone economic incentives; assigning duties for the administration of STEAM zones to the counties that have jurisdiction over STEAM zones; providing for the issuance of certificates to eligible businesses; requiring the county that has jurisdiction over a STEAM zone to certify to the Department of Revenue or the Department of Economic Opportunity the businesses or properties that are eligible for the incentives; requiring the Department of Revenue to send written instructions to eligible businesses for claiming the credit on a sales and use tax return initiated through an electronic data interchange; providing a procedure to deduct a credit against the sales and use tax from the sales and use tax remitted by the business; creating s. 1002.312, F.S.; authorizing a district school board to contract with a nonprofit organization or a state or local governmental unit to establish a STEAM school; specifying the organizations that are authorized to contract with a district school board to establish a STEAM school; requiring certain provisions to be included in a contract to establish a STEAM school; providing that performance outcomes must





226584

333 demonstrate an integration of technology and the arts;  
334 amending s. 1004.02,



632350

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Montford) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 1096 and 1097

insert:

Section 16. Subsection (3) of section 1008.34, Florida Statutes, is amended to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Each school that has students who are tested and included in the school grading system shall receive a school grade, except as follows:

1. A school shall not receive a school grade if the number



632350

of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.

2. An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

3. A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

(b)1. A school's grade shall be based on a combination of:

a. Student achievement scores, including achievement as measured by FCAT assessments under s. 1008.22(3)(c)1., statewide, standardized end-of-course assessments under s. 1008.22(3)(c)2.a. and b., and achievement scores for students seeking a special diploma.

b. Student learning gains in reading and mathematics as measured by FCAT and statewide, standardized end-of-course assessments, as described in s. 1008.22(3)(c)1. and 2.a.,



632350

including learning gains for students seeking a special diploma, as measured by an alternate assessment.

c. Improvement of the lowest 25th percentile of students in the school in reading and mathematics on the FCAT or end-of-course assessments described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance.

2. Beginning with the 2011-2012 school year, for schools comprised of middle school grades 6 through 8 or grades 7 and 8, the school's grade shall include the performance and participation of its students enrolled in high school level courses with end-of-course assessments administered under s. 1008.22(3)(c)2.a. Performance and participation must be weighted equally, except that added weight must be given to students who participate as a component of a certified schoolwide college readiness system that includes enrollment in an elective class recognized in the Course Code Directory and designed to provide students who are taking college preparatory or advanced courses with academic instruction and other support. As valid data becomes available, the school grades shall include the students' attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the state board.

3. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, at least 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining percentage on the following factors:

a. The high school graduation rate of the school;



632350

b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the state board;

c. Postsecondary readiness of all of the school's on-time graduates as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, or the common placement test;

d. The high school graduation rate of at-risk students, who are students scoring at Level 1 or Level 2 on grade 8 FCAT Reading and FCAT Mathematics;

e. As valid data becomes available, the performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(c)2.c. and d.; and

f. The growth or decline in the components listed in subparagraphs a.-e. from year to year.

(c) Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and statewide, standardized end-of-course assessments in courses required for high school graduation, including, beginning with the 2011-2012 school year, the end-of-course assessment in Algebra I; and beginning with the 2012-2013 school year, the end-of-course assessments in geometry and Biology I; and beginning with the 2014-2015 school year, on the statewide, standardized end-of-course assessment in civics education at the middle school



632350

level.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT and statewide, standardized end-of-course assessments as described in s. 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th percentile of students in the school in reading and mathematics, unless these students are exhibiting satisfactory performance.

3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. As used in this subparagraph and s. 1008.341, the term "home school" means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. A school district that fails to assign the FCAT and statewide, standardized end-of-course assessment as described in s. 1008.22(3)(c)2.a. scores of each



632350

of its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.

4. The achievement scores and learning gains of students designated as hospital- or homebound. Student assessment data for students designated as hospital- or homebound shall be assigned to their home school for the purposes of school grades. As used in this subparagraph, the term "home school" means the school to which a student would be assigned if the student were not assigned to a hospital- or homebound program.

5. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

a. The high school graduation rate of the school as calculated by the department;

b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequences of courses leading to national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of



632350

Education;

c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

e. Earning of a national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;

f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, and the common placement test for postsecondary readiness;

g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored at Level 2 or lower on grade 8 FCAT Reading and FCAT Mathematics;

h. The performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(c)2.c. and d.; and

i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading and for students who participate in rigorous courses as described in sub-subparagraph





632350

5.b. as a part of a schoolwide college readiness system that includes enrollment in an elective class recognized in the Course Code Directory and designed to provide students who are taking college preparatory or advanced courses with academic instruction and other support. Schools earning a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on the FCAT and end-of-course assessments as described in s. 1008.22(3)(c)2.a., unless these students are exhibiting satisfactory performance. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students. In order for a high school to earn a grade of "A," the school must demonstrate that its at-risk students, as defined in this paragraph, are making adequate progress.

===== T I T L E   A M E N D M E N T =====

And the title is amended as follows:

Between lines 141 and 142

insert:

amending s. 1008.34, F.S.; revising the grading of middle schools and high schools to include added weight for students who participate and are enrolled in certain classes;



428328

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2013	.	
	.	
	.	
	.	

---

---

The Committee on Education (Galvano) recommended the following:

**Senate Amendment**

In title, delete line 2  
and insert:  
An act relating to education; amending s.

By Senator Galvano

26-00836C-13

20131720\_\_

1 A bill to be entitled  
 2 An act relating to college instruction; amending s.  
 3 11.45, F.S.; revising actions to be taken by the  
 4 Legislative Auditing Committee relating to audits of  
 5 state universities and Florida College System  
 6 institutions; amending s. 1001.02, F.S.; requiring the  
 7 State Board of Education to specify the college credit  
 8 courses that may be taken by Florida College System  
 9 institution students who are concurrently  
 10 participating in developmental education; requiring  
 11 the State Board of Education to establish the tuition  
 12 and out-of-state fees for certain credit instruction,  
 13 rather than college-preparatory instruction; revising  
 14 the minimum standards, definitions, and guidelines  
 15 that the State Board of Education must prescribe by  
 16 rule for Florida College System institutions; amending  
 17 s. 1001.64, F.S.; authorizing a board of trustees at a  
 18 Florida College System institution to contract with  
 19 the board of trustees of a state university for the  
 20 Florida College System institution to provide  
 21 developmental education; creating s. 1001.7065, F.S.;  
 22 establishing a collaborative partnership between the  
 23 Board of Governors and the Legislature to elevate the  
 24 academic and research preeminence of this state's  
 25 highest performing state research universities;  
 26 specifying the academic and research excellence  
 27 standards for the preeminent state research  
 28 universities program; requiring the Board of Governors  
 29 to designate each state research university that meets

Page 1 of 44

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720\_\_

30 certain criteria as a preeminent state research  
 31 university; requiring the state research university  
 32 that has attained the highest level on the academic  
 33 and research excellence standard to establish an  
 34 online arm of the university; providing requirements  
 35 for the online arm of the university; providing  
 36 membership of the board of directors that oversees the  
 37 business of the university's online arm; providing for  
 38 a quorum of the board of directors; requiring the  
 39 board to develop a business plan and authorizing the  
 40 board to contract with other entities and  
 41 institutions; requiring the university to offer high-  
 42 quality online baccalaureate degree programs and a  
 43 master's degree in business administration;  
 44 authorizing the university to offer online other  
 45 master's degree programs; authorizing the university  
 46 to develop and offer degree programs and courses that  
 47 are competency based; requiring the university to  
 48 periodically expand its offering of online  
 49 baccalaureate degree programs and establish a tuition  
 50 structure for its online arm; providing requirements  
 51 for the tuition structure; requiring the state  
 52 research university that has attained the second  
 53 highest level on the academic and research excellence  
 54 standards to recruit National Academy members,  
 55 expedite provision of a master's degree in cloud  
 56 virtualization, and institute an entrepreneurs-in-  
 57 residence program throughout its campus; authorizing a  
 58 preeminent state research university to require

Page 2 of 44

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720\_\_

59 incoming college students to take specified courses;  
 60 requiring the Board of Governors to identify and grant  
 61 all reasonable, feasible authority and flexibility to  
 62 keep a designated preeminent state research university  
 63 free from unnecessary restrictions; providing that the  
 64 Board of Governors is encouraged to establish  
 65 standards and measures to recognize excellent programs  
 66 in other state universities; amending s. 1004.02,  
 67 F.S.; defining the term "developmental education" as  
 68 it relates to public postsecondary education;  
 69 repealing s. 1004.58, F.S., relating to the Leadership  
 70 Board for Applied Research and Public Service;  
 71 amending s. 1004.93, F.S.; deleting provisions  
 72 relating to the levels and courses of instruction to  
 73 be funded through the college-preparatory program;  
 74 amending s. 1006.735, F.S.; establishing the Complete  
 75 Florida Degree Program to recruit, recover, and retain  
 76 adult learners and assist them in completing degrees  
 77 aligned to high-wage, high-skill workforce needs;  
 78 specifying program components and the tuition and fee  
 79 structure; requiring submission of a project plan to  
 80 the Legislature; amending s. 1007.23, F.S.; revising  
 81 the number of semester hours in which a student who is  
 82 seeking an associate in arts degree is required to  
 83 indicate a baccalaureate degree program; amending s.  
 84 1007.25, F.S.; revising general education courses,  
 85 common prerequisites, and degree requirements;  
 86 conforming terminology to changes made by the act;  
 87 amending s. 1007.263, F.S.; revising the rules that

Page 3 of 44

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720\_\_

88 the board of trustees of a Florida College System  
 89 institution may adopt with regard to admissions  
 90 counseling; requiring each board of trustees to  
 91 establish policies that notify students about options  
 92 they may use to attain the communication and  
 93 computation skills that are essential to perform  
 94 college-level work; deleting a prohibition against a  
 95 student's enrollment in credit courses under certain  
 96 circumstances; amending s. 1007.271, F.S.; conforming  
 97 provisions to changes made by the act; creating s.  
 98 1008.02, F.S.; providing definitions for the purpose  
 99 of ch. 1008, F.S., relating to assessment and  
 100 accountability for the K-20 education system; amending  
 101 s. 1008.30, F.S.; providing that alternative  
 102 assessments that may be accepted in lieu of the common  
 103 placement test must be identified in rule; requiring  
 104 the State Board of Education, in conjunction with the  
 105 Board of Governors, to approve a series of meta-  
 106 majors, academic pathways, and degree maps that  
 107 identify the gateway courses required for success in  
 108 each meta-major; providing requirements for the common  
 109 placement testing program; requiring the State Board  
 110 of Education to adopt rules that require high schools  
 111 to evaluate certain students for college readiness;  
 112 requiring the State Board of Education to establish by  
 113 rule the test scores a student must achieve to  
 114 demonstrate readiness to perform college-level work;  
 115 deleting provisions to conform to changes made by the  
 116 act; conforming terminology; requiring the State Board

Page 4 of 44

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720\_\_

117 of Education to adopt rules by a specified date to  
 118 implement developmental education; requiring local  
 119 policies and practices set by each Florida College  
 120 System institution board of trustees to outline the  
 121 student achievements considered by the institution for  
 122 placement determinations, identify instructional  
 123 options available to students, and describe student  
 124 costs and financial aid opportunities associated with  
 125 each instructional option; creating s. 1008.322, F.S.;  
 126 requiring the Board of Governors of the State  
 127 University System to oversee the performance of state  
 128 university boards of trustees in the enforcement of  
 129 laws, rules, and regulations; providing that state  
 130 university presidents are responsible for the accuracy  
 131 of the information and data reported to the Board of  
 132 Governors; authorizing the Chancellor of the State  
 133 University System to investigate allegations of  
 134 noncompliance with law or Board of Governors' rule or  
 135 regulation and determine probable cause; requiring the  
 136 chancellor to report determinations of probable cause  
 137 to the Board of Governors; authorizing the Board of  
 138 Governors to initiate specified actions if the board  
 139 determines that the state university board of trustees  
 140 is unwilling or unable to comply with the law, certain  
 141 rules or regulations, or audit recommendations;  
 142 amending ss. 1008.37, 1009.22, and 1009.23, F.S.;  
 143 conforming provisions to changes made by the act;  
 144 amending s. 1009.26, F.S.; authorizing certain Florida  
 145 College System institutions to waive certain fees;

Page 5 of 44

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720\_\_

146 repealing s. 1009.28, F.S., relating to fees for  
 147 repeated enrollment in college-preparatory classes;  
 148 amending s. 1009.285, F.S.; requiring a student  
 149 enrolled in the same undergraduate college-credit  
 150 course more than once, except for students enrolled in  
 151 a gateway course for an extended period of time, to  
 152 pay tuition at 100 percent of the full cost of  
 153 instruction; reducing the number of times certain  
 154 coursework, which is excluded for the reduction of  
 155 fees, is repeated for certain purposes; amending s.  
 156 1009.286, F.S.; excluding remedial courses from those  
 157 courses that are counted when calculating credit hours  
 158 earned toward a baccalaureate degree; amending s.  
 159 1009.40, F.S.; providing that undergraduate students  
 160 participating in developmental education are eligible  
 161 to receive financial aid for a specified number of  
 162 semesters or quarters; conforming provisions to  
 163 changes made by the act; amending s. 1009.53, F.S.;  
 164 conforming terminology to changes made by the act;  
 165 repealing s. 1009.531(7), F.S., relating to the  
 166 eligibility of a student for an initial reward or  
 167 renewal reward under the Florida Bright Futures  
 168 Scholarship Program; amending s. 1011.84, F.S.;  
 169 conforming provisions to changes made by the act;  
 170 providing an effective date.

171  
 172 Be It Enacted by the Legislature of the State of Florida:

173  
 174 Section 1. Paragraph (j) of subsection (7) of section

Page 6 of 44

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26-00836C-13

20131720

11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(j) The Auditor General shall notify the Legislative Auditing Committee of any financial or operational audit report prepared pursuant to this section which indicates that a state university or Florida College System institution has failed to take full corrective action in response to a recommendation that was included in the two preceding financial or operational audit reports.

1. The committee may direct the governing body of the state university or Florida College System institution to provide a written statement to the committee explaining why full corrective action has not been taken or, if the governing body intends to take full corrective action, describing the corrective action to be taken and when it will occur.

2. If the committee determines that the written statement is not sufficient, the committee may require the chair of the governing body of the state university or Florida College System institution, or the chair's designee, to appear before the committee.

3. If the committee determines that the state university or Florida College System institution has failed to take full corrective action for which there is no justifiable reason or has failed to comply with committee requests made pursuant to this section, the committee shall refer the matter to the State Board of Education or the Board of Governors, as appropriate, to proceed in accordance with ss. 1008.32 and 1008.322, ~~respectively may proceed in accordance with s. 11.40(2).~~

26-00836C-13

20131720

Section 2. Paragraph (g) of subsection (4), subsection (5), and paragraphs (c) and (d) of subsection (6) of section 1001.02, Florida Statutes, are amended to read:

1001.02 General powers of State Board of Education.—

(4) The State Board of Education shall:

(g) Specify, by rule, the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education ~~enrolled in college preparatory instruction.~~

(5) The State Board of Education is responsible for reviewing and administering the state program of support for the Florida College System institutions and, subject to existing law, shall establish the tuition and out-of-state fees for ~~college preparatory instruction and for~~ credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.

(6) The State Board of Education shall prescribe minimum standards, definitions, and guidelines for Florida College System institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing the Florida College System institution mission. At a minimum, these rules must address:

(c) Program offerings and classification, including college-level communication and computation skills associated with successful performance in college and with tests and other assessment procedures that measure student achievement of those skills. ~~The performance measures must provide that students moving from one level of education to the next acquire the~~

26-00836C-13

20131720

~~necessary competencies for that level.~~

(d) Provisions for curriculum development, graduation requirements, college calendars, and program service areas. These provisions must include rules that:

1. Provide for the award of an associate in arts degree to a student who successfully completes 60 semester credit hours at the Florida College System institution.

2. Require all of the credits accepted for the associate in arts degree to be in the statewide course numbering system as credits toward a baccalaureate degree offered by a state university or a Florida College System institution.

3. ~~Beginning with students initially entering a Florida College System institution in 2014 2015 and thereafter,~~ Require no more than 36 ~~30~~ semester credit hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

The rules should encourage Florida College System institutions to enter into agreements with state universities that allow Florida College System institution students to complete upper-division-level courses at a Florida College System institution. An agreement may provide for concurrent enrollment at the Florida College System institution and the state university and may authorize the Florida College System institution to offer an upper-division-level course or distance learning.

Section 3. Subsection (9) of section 1001.64, Florida Statutes, is amended to read:

1001.64 Florida College System institution boards of trustees; powers and duties.—

26-00836C-13

20131720

(9) A board of trustees may contract with the board of trustees of a state university for the Florida College System institution to provide developmental education ~~college preparatory instruction~~ on the state university campus.

Section 4. Section 1001.7065, Florida Statutes, is created to read:

1001.7065 Preeminent state research universities program.—

(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE

COLLABORATION.—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.—Effective July 1, 2013, the following academic and research excellence standards are established for the Preeminent State Research Universities Program:

(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher for fall-semester incoming freshmen, as reported annually.

(b) A top-50 ranking on at least two well-known and highly

26-00836C-13 20131720\_\_

291 respected national public university rankings, reflecting  
 292 national preeminence, using most recent rankings.

293 (c) A freshman retention rate of 90 percent or higher for  
 294 full-time, first-time-in-college students, as reported annually  
 295 to the Integrated Postsecondary Education Data System (IPEDS).

296 (d) A 6-year graduation rate of 70 percent or higher for  
 297 full-time, first-time-in-college students, as reported annually  
 298 to the IPEDS.

299 (e) Six or more faculty members at the state university who  
 300 are members of a national academy, as reported by the Center for  
 301 Measuring University Performance in the Top American Research  
 302 Universities (TARU) annual report.

303 (f) Total annual research expenditures, including federal  
 304 research expenditures, of \$200 million or more, as reported  
 305 annually by the National Science Foundation (NSF).

306 (g) Total annual research expenditures in diversified  
 307 nonmedical sciences of \$150 million or more, based on data  
 308 reported annually by the NSF.

309 (h) A top-100 university national ranking for research  
 310 expenditures in five or more science, technology, engineering,  
 311 or mathematics fields of study, as reported annually by the NSF.

312 (i) One hundred or more total patents awarded by the United  
 313 States Patent and Trademark Office for the most recent 3-year  
 314 period.

315 (j) Four hundred or more doctoral degrees awarded annually,  
 316 as reported in the TARU annual report.

317 (k) Two hundred or more postdoctoral appointees annually,  
 318 as reported in the TARU annual report.

319 (l) An endowment of \$500 million or more, as reported in

26-00836C-13 20131720\_\_

320 the Board of Governors annual accountability report.

321 (3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.—The  
 322 Board of Governors shall designate each state research  
 323 university that meets at least 11 of the 12 academic and  
 324 research excellence standards identified in subsection (2) a  
 325 preeminent state research university.

326 (4) PREEMINENT STATE RESEARCH UNIVERSITY ONLINE ARM.—The  
 327 state research university that has attained the highest level on  
 328 the academic and research excellence standards identified in  
 329 subsection (2), as verified by the Board of Governors, shall  
 330 establish a fully online arm of the university in accordance  
 331 with this subsection, subject to the appropriation of funds by  
 332 the Legislature.

333 (a)1. A board of directors shall develop, implement, and  
 334 oversee the business aspects of the university's online arm,  
 335 while the university president and board of trustees, in  
 336 conjunction with the Board of Governors, shall be responsible  
 337 for academic quality, accreditation, and curricular standards.  
 338 The university president and board of trustees, the board of  
 339 directors, and the Board of Governors shall collaborate and  
 340 cooperate in their respective roles to achieve the purpose of  
 341 successfully providing fully online high-quality baccalaureate  
 342 and master's degree programs to the university's enrolled online  
 343 students in this state and around the world.

344 2. The university president shall designate a center to  
 345 help lead the university to global preeminence in the  
 346 development of cutting-edge technology and instructional design  
 347 for online programs. The center shall conduct research to enrich  
 348 the university's online degree program offerings and enhance the



26-00836C-13 20131720

349 success of the university's online students. The center shall  
 350 provide academic and administrative support structures to  
 351 undergird the delivery of content and degree programs by the  
 352 various colleges and departments throughout the university. The  
 353 center shall work jointly with the university president and the  
 354 board of directors in their respective roles.

355 (b) The board of directors is comprised of the following  
 356 seven members:

357 1. The university president, or the president's permanent  
 358 designee.

359 2. The chair of the university board of trustees, or the  
 360 chair's permanent designee.

361 3. A member with expertise in global marketing, appointed  
 362 by the Governor.

363 4. A member with expertise in cloud virtualization,  
 364 appointed by the President of the Senate.

365 5. A member with expertise in disruptive innovation in  
 366 online learning, appointed by the Speaker of the House of  
 367 Representatives.

368 6. A member with expertise in online program accreditation,  
 369 appointed by the chair of the Board of Governors.

370 7. A member with expertise in creative technologies,  
 371 appointed by the chair of the Florida Polytechnic University  
 372 Board of Trustees.

373 (c) A majority of the board of directors constitutes a  
 374 quorum, elects the chair, and appoints an executive director.

375 (d) The board of directors shall develop a business plan  
 376 and may contract with other entities and institutions, public or  
 377 private, to maximize the marketing, advertising, support

26-00836C-13 20131720

378 services that include financial aid assistance and academic and  
 379 career guidance, and degree programs and courses of the  
 380 university's online arm.

381 (e) Beginning in January 2014, the university shall offer  
 382 high-quality, fully online baccalaureate degree programs as  
 383 directed by the board of directors which:

384 1. Accept full-time, first-time-in-college students.

385 2. Have the same rigorous admissions criteria as an  
 386 equivalent on-campus degree program.

387 3. Offer a curriculum of equivalent rigor to the on-campus  
 388 degree program.

389 4. Offer rolling enrollment or multiple windows of  
 390 enrollment throughout the year.

391 5. Do not require any on-campus courses. However, for  
 392 courses or programs that require clinical training or  
 393 laboratories which cannot be delivered online, the university  
 394 shall offer convenient locational options to the student, which  
 395 may include, but not be limited to, the option to complete such  
 396 requirements at a summer-in-residence on the university campus.  
 397 Additionally, for purposes of proctored assessments or testing,  
 398 the university may provide a network of sites at convenient  
 399 locations and contract with commercial testing centers or  
 400 identify other secure testing services.

401 6. Apply the university's existing policy for accepting  
 402 credits for both freshman applicants and transfer applicants.

403 (f) The university must offer a fully online master of  
 404 business administration degree program and may offer other  
 405 master's degree programs as recommended by the university  
 406 president and board of trustees and authorized by the board of

26-00836C-13

20131720\_\_

407 directors.

408 (g) The university may develop and offer degree programs  
 409 and courses that are competency based, as appropriate for the  
 410 quality and success of the program and as recommended by the  
 411 university president and board of trustees and authorized by the  
 412 board of directors.

413 (h) The university shall periodically expand its offering  
 414 of online baccalaureate degree programs, as recommended by the  
 415 university president and board of trustees and authorized by the  
 416 board of directors, to meet student and market demands.

417 (i) The university shall establish a tuition structure for  
 418 its online arm in conjunction with the board of directors and in  
 419 accordance with this paragraph, notwithstanding any other  
 420 provision of law.

421 1. For students classified as residents for tuition  
 422 purposes, tuition for an online baccalaureate degree program  
 423 shall be set at no more than 75 percent of tuition for the  
 424 equivalent on-campus baccalaureate degree program. No distance  
 425 learning fee or fee for campus facilities or on-campus services  
 426 may be assessed, except that online students shall pay the  
 427 university's technology and financial aid fees and the Capital  
 428 Improvement Trust Fund fee which shall be dedicated to the  
 429 university's online research center. The board of directors may  
 430 recommend a fee structure for an offering of optional services,  
 431 such as career placement services, which may be selected by the  
 432 student.

433 2. For students classified as nonresidents for tuition  
 434 purposes, tuition may be set at market rates, as directed and  
 435 authorized by the board of directors in accordance with the

26-00836C-13

20131720\_\_

436 business plan.

437 3. Tuition for the online degree programs must include all  
 438 costs associated with the program, including, but not limited  
 439 to, instruction, materials, and enrollment.

440 4. Tuition may be differentiated by degree program, as  
 441 appropriate to the instructional and other costs of the program,  
 442 as recommended by the university president and board of trustees  
 443 and authorized by the board of directors in accordance with the  
 444 business plan.

445 5. Pricing must incorporate innovative approaches that  
 446 incentivize persistence and completion, including, but not  
 447 limited to, fee for assessment, a bundled or all-inclusive rate,  
 448 and sliding-scale features.

449 6. The university must accept student financial aid,  
 450 including Florida Bright Futures Scholarship Program awards,  
 451 Pell Grants, and student loans.

452 7. The board of directors shall ensure that 50 percent of  
 453 the revenues generated from the online arm of the university is  
 454 used to enhance and enrich the online arm of the university and  
 455 50 percent of the revenues generated from the online arm of the  
 456 university is used to enhance and enrich the university's campus  
 457 innovation hub, including state-of-the-art research programs and  
 458 facilities.

459 (5) PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT  
 460 INITIATIVE.—The state research university that has attained the  
 461 second-highest level on the academic and research excellence  
 462 standards identified in subsection (2), as verified by the Board  
 463 of Governors, shall recruit National Academy members, expedite  
 464 provision of a master's degree in cloud virtualization, and

26-00836C-13 20131720

465 institute an entrepreneurs-in-residence program throughout its  
 466 campus, subject to funds appropriated by the Legislature.

467 (6) PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE  
 468 REQUIREMENTS AUTHORITY.—In order to provide a jointly shared  
 469 educational experience, a state university that is designated a  
 470 preeminent state research university may require its incoming  
 471 first-time-in-college students to take a 9-credit to 12-credit  
 472 set of courses specifically determined by the university. The  
 473 state university may stipulate that credit for such courses may  
 474 not be earned through any acceleration mechanism, pursuant to s.  
 475 1007.27 or s. 1007.271, or other transfer credit. At the  
 476 student's request, all accelerated credits earned up to the  
 477 limits specified in ss. 1007.27 and 1007.271 must be applied  
 478 toward graduation.

479 (7) PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY  
 480 AUTHORITY.—The Board of Governors shall identify and grant all  
 481 reasonable, feasible authority and flexibility to keep a  
 482 designated preeminent state research university free from  
 483 unnecessary restrictions.

484 (8) PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY  
 485 SYSTEM.—The Board of Governors is encouraged to establish  
 486 standards and measures whereby individual programs in other  
 487 state universities that objectively reflect national excellence  
 488 can be identified and make recommendations to the Legislature as  
 489 to how any such programs could be enhanced and promoted.

490 Section 5. Subsection (11) of section 1004.02, Florida  
 491 Statutes, is amended to read:

492 1004.02 Definitions.—As used in this chapter:

493 (11) "Developmental education" ~~"College preparatory~~

26-00836C-13 20131720

494 ~~instruction"~~ means instruction courses through which a high  
 495 school graduate who applies for and enrolls in any college  
 496 credit program may attain the communication and computation  
 497 skills necessary to perform college-level work while also  
 498 enrolled enroll in college credit instruction.

499 Section 6. Section 1004.58, Florida Statutes, is repealed.

500 Section 7. Subsection (4) of section 1004.93, Florida  
 501 Statutes, is amended to read:

502 1004.93 Adult general education.—

503 (4)(a) Adult general education shall be evaluated and  
 504 funded as provided in s. 1011.80.

505 (b) Fees for adult basic instruction are to be charged in  
 506 accordance with chapter 1009.

507 ~~(c) The State Board of Education shall define, by rule, the~~  
 508 ~~levels and courses of instruction to be funded through the~~  
 509 ~~college preparatory program. The state board shall coordinate~~  
 510 ~~the establishment of costs for college preparatory courses, the~~  
 511 ~~establishment of statewide standards that define required levels~~  
 512 ~~of competence, acceptable rates of student progress, and the~~  
 513 ~~maximum amount of time to be allowed for completion of college~~  
 514 ~~preparatory instruction. College preparatory instruction is part~~  
 515 ~~of an associate in arts degree program and may not be funded as~~  
 516 ~~an adult career education program.~~

517 ~~(d) Expenditures for college preparatory and lifelong~~  
 518 ~~learning students shall be reported separately. Allocations for~~  
 519 ~~college preparatory courses shall be based on proportional full-~~  
 520 ~~time equivalent enrollment. Program review results shall be~~  
 521 ~~included in the determination of subsequent allocations. A~~  
 522 ~~student shall be funded to enroll in the same college~~

26-00836C-13

20131720\_\_

523 preparatory class within a skill area only twice, after which  
 524 time the student shall pay 100 percent of the full cost of  
 525 instruction to support the continuous enrollment of that student  
 526 in the same class; however, students who withdraw or fail a  
 527 class due to extenuating circumstances may be granted an  
 528 exception only once for each class, provided approval is granted  
 529 according to policy established by the board of trustees. Each  
 530 Florida College System institution shall have the authority to  
 531 review and reduce payment for increased fees due to continued  
 532 enrollment in a college preparatory class on an individual basis  
 533 contingent upon the student's financial hardship, pursuant to  
 534 definitions and fee levels established by the State Board of  
 535 Education. College preparatory and lifelong learning courses do  
 536 not generate credit toward an associate or baccalaureate degree.

537 (c)(e) A district school board or a Florida College System  
 538 institution board of trustees may negotiate a contract with the  
 539 regional workforce board for specialized services for  
 540 participants in the welfare transition program, beyond what is  
 541 routinely provided for the general public, to be funded by the  
 542 regional workforce board.

543 Section 8. Section 1006.735, Florida Statutes, is amended  
 544 to read:

545 1006.735 Complete Florida Degree Program Completion Pilot  
 546 Project.—

547 (1) The Complete Florida Degree Program Completion Pilot  
 548 Project is established for the purpose of recruiting,  
 549 recovering, and retaining the state's adult learners and  
 550 assisting them in completing an associate degree or a  
 551 baccalaureate degree that is aligned to high-wage, high-skill

26-00836C-13

20131720\_\_

552 workforce needs. As used in this section, the term "adult  
 553 learner" means a student who has successfully completed college-  
 554 level coursework in multiple semesters but has left an  
 555 institution in good standing before completing his or her  
 556 degree. The program pilot project shall give priority to adult  
 557 learners who are veterans or active duty members of the United  
 558 States Armed Forces.

559 (2) The Complete Florida Degree Program pilot project shall  
 560 be implemented by the University of West Florida, acting as the  
 561 lead institution, in coordination with, the University of South  
 562 Florida, Florida State College System institutions, state  
 563 universities, and private postsecondary institutions, as  
 564 appropriate. The program must at Jacksonville, and St.  
 565 Petersburg College and shall include the associate, applied  
 566 baccalaureate, and baccalaureate degree programs that these  
 567 institutions have selected. Other partnering public  
 568 postsecondary education institutions shall provide areas of  
 569 specialization or concentration.

570 (3) For purposes of selecting the degree programs that will  
 571 be given priority in the Complete Florida Degree Program pilot  
 572 project, the institutions identified in subsection (2) shall  
 573 partner with public and private job recruitment and placement  
 574 agencies and use labor market data and projections to identify  
 575 the specific workforce needs and targeted occupations of the  
 576 state.

577 (4) The Complete Florida Degree Program pilot project shall  
 578 provide adult learners with a single point of access to  
 579 information and links to innovative online and accelerated  
 580 distance learning courses, student and library support services,

26-00836C-13 20131720\_\_

and electronic resources that will guide the adult learner toward the successful completion of a postsecondary degree.

(5) Beginning with the 2013-2014 ~~2012-2013~~ academic year, the Complete Florida Degree Program ~~pilot project~~ shall be implemented and must:

(a) Use the distance learning course catalog established pursuant to s. 1006.73 to communicate course availability to the adult learner.

(b) Develop and implement an advising and student support system that includes the use of degree completion specialists, is based upon best practices and processes, and includes academic and career support services designed specifically for the adult learner. The program must identify proposed changes to the statewide computer-assisted student advising system established pursuant to s. 1006.73 to assist the adult learner in using the system.

(c) Use the streamlined, automated, online admissions application process for transient students established pursuant to s. 1006.73. The Complete Florida Degree Program ~~pilot project~~ shall identify any additional admissions and registration policies and practices that could be further streamlined and automated for purposes of assisting the adult learner.

(d) Use existing and, if necessary, develop new competency-based instructional and evaluation tools to assess prior performance, experience, and education for the award of college credit in order to reduce the time required for adult learners to complete their degrees. The tools may include the use of the American Council on Education's collaborative link between the United States Department of Defense and higher education through

26-00836C-13 20131720\_\_

the review of military training and experiences for the award of equivalent college credit for members of the United States Armed Forces.

(e) Develop and implement an evaluation process that collects, analyzes, and provides to the participating postsecondary education institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor information on the effectiveness of the program ~~pilot project~~ and the attainment of its goals. Such a process ~~must shall~~ include a management information system that collects the appropriate student, programmatic, and fiscal data necessary to complete the evaluation of the program ~~pilot project~~. Institutions involved in the program ~~pilot project~~ shall also collect job placement and employment data on the adult learners who have completed their degrees as a result of the program ~~pilot project~~.

(f) Develop and implement a statewide marketing campaign targeted toward recruiting adult learners, particularly veterans and active duty members of the United States Armed Forces, for enrollment in the degree programs offered through the program ~~pilot project~~.

(6) For purposes of the Complete Florida Degree Program ~~pilot project~~, each institution's current tuition and fee structure shall be used. However, all participating institutions shall collaboratively identify the applicable cost components involved in the development and delivery of distance learning courses, collect information on these cost components, and submit the information to the Florida Virtual Campus. ~~The~~ chancellors of the Florida College System. ~~The chancellors and~~

26-00836C-13

20131720

~~the State University System~~ shall submit a report to the chairs of the legislative appropriations committees no later than December 31, ~~2014~~ 2013, on the need for a differentiated tuition and fee structure for the development and delivery of distance learning courses.

(7) The University of West Florida, in collaboration with ~~its partners the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College~~, shall submit to the chairs of the legislative appropriations committees no later than September 1, 2013 ~~June 1, 2012~~, a detailed project plan that defines the major work activities, student eligibility criteria, timeline, and cost for implementing the Complete Florida Degree Program ~~pilot project~~.

~~(8) The University of West Florida, in collaboration with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College, shall develop and implement a transition plan that transfers the administration of the pilot project to the Florida Virtual Campus no later than June 30, 2012.~~

Section 9. Subsection (3) of section 1007.23, Florida Statutes, is amended to read:

1007.23 Statewide articulation agreement.—

(3) To improve articulation and reduce excess credit hours, beginning with students initially entering a Florida College System institution in 2013-2014 and thereafter, the articulation agreement must require each student who is seeking an associate in arts degree to indicate a baccalaureate degree program offered by an institution of interest by the time the student earns 36 ~~30~~ semester hours. The institution in which the student

26-00836C-13

20131720

is enrolled shall inform the student of the prerequisites for the baccalaureate degree program offered by an institution of interest.

Section 10. Subsections (3), (6), (7), (8), and (10) of section 1007.25, Florida Statutes, are amended to read:

1007.25 General education courses; common prerequisites; other degree requirements.—

(3) The chair of the State Board of Education and the chair of the Board of Governors, or their designees, shall jointly appoint faculty committees to identify statewide general education core course options. General education core course options must ~~shall~~ consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. Each general education core course option must contain high-level academic and critical thinking skills and common competencies that students must demonstrate to successfully complete the course. Beginning with students initially entering a Florida College System institution or state university in 2015-2016 ~~2014-2015~~ and thereafter, each student must complete at least one identified core course in each subject area as part of the general education course requirements. All public postsecondary educational institutions shall ~~offer and~~ accept these courses as meeting general education core course requirements. The remaining general education course requirements shall be identified by each institution and reported to the department by their statewide course number. The general education core course options shall be adopted in rule by the State Board of Education and in regulation by the Board of Governors. Additional core

26-00836C-13 20131720

course options may be approved by the State Board of Education and the Board of Governors if recommended by the subject area faculty committee and approved by the Articulation Coordinating Committee, as necessary for a subject area.

(6) The universities and Florida College System institutions shall work with their respective school districts to ensure that high school curricula coordinate with the general education curricula and to prepare students for college-level work. General education curricula for associate in arts programs shall be identified by each institution and, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ shall include 36 ~~30~~ semester hours in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.

(7) An associate in arts degree may not ~~shall~~ require ~~no~~ more than 60 semester hours of college credit and must, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ include 36 ~~30~~ semester hours of general education coursework. Beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter, coursework for an associate in arts degree must include ~~and~~ demonstration of competency in a foreign language pursuant to s. 1007.262. Except for developmental education provided ~~college preparatory coursework required~~ pursuant to s. 1008.30, all required coursework counts ~~shall count~~ toward the associate in arts degree or the baccalaureate degree.

(8) A baccalaureate degree program shall require no more than 120 semester hours of college credit and, ~~beginning with~~

26-00836C-13 20131720

~~students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ include 36 ~~30~~ semester hours of general education coursework, unless prior approval has been granted by the Board of Governors for baccalaureate degree programs offered by state universities and by the State Board of Education for baccalaureate degree programs offered by Florida College System institutions.

(10) Students at state universities may request associate in arts certificates if they have successfully completed the minimum requirements for the degree of associate in arts (A.A.). The university must grant the student an associate in arts degree if the student has successfully completed minimum requirements for college-level communication and computation skills adopted by the State Board of Education and 60 academic semester hours or the equivalent within a degree program area and including 36, ~~beginning with students initially entering a Florida College System institution or state university in 2014-2015 and thereafter,~~ include 30 semester hours in general education courses in the subject areas of communication, mathematics, social sciences, humanities, and natural sciences, consistent with the general education requirements specified in the articulation agreement pursuant to s. 1007.23.

Section 11. Section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees may ~~is authorized to~~ adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules must ~~shall~~ include the following:

26-00836C-13

20131720

(1) Admissions counseling ~~must shall~~ be provided to all students entering college or career credit programs. Counseling ~~must use shall utilize~~ tests to measure achievement of college-level communication and computation competencies by all students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91. Counseling includes providing developmental education options for students whose assessment results, determined under s. 1008.30, indicate that they need to improve communication or computation skills that are essential to perform college-level work.

(2) Admission to associate degree programs is subject to minimum standards adopted by the State Board of Education and ~~requires shall require~~:

(a) A standard high school diploma, a high school equivalency diploma as prescribed in s. 1003.435, previously demonstrated competency in college credit postsecondary coursework, or, in the case of a student who is home educated, a signed affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of s. 1002.41. Students who are enrolled in a dual enrollment or early admission program pursuant to s. 1007.271 are exempt from this requirement.

(b) A demonstrated level of achievement of college-level communication and computation skills.

(c) Any other requirements established by the board of trustees.

(3) Admission to other programs within the Florida College

26-00836C-13

20131720

System institution ~~must shall~~ include education requirements as established by the board of trustees.

(4) A student who has been awarded a special diploma as defined in s. 1003.438 or a certificate of completion as defined in s. 1003.43(10) is eligible to enroll in certificate career education programs.

(5) A student who has ~~with~~ a documented disability may be eligible for reasonable substitutions, as prescribed in ss. 1007.264 and 1007.265.

Each board of trustees shall establish policies that notify students about developmental education options for improving their communication or computation skills that are essential to performing college-level work, including tutoring, extended time in gateway courses, free online courses ~~and place students into, adult basic education, adult secondary education, or other instructional programs that provide students with alternatives to traditional college preparatory instruction, including private provider instruction. A student is prohibited from enrolling in additional college level courses until the student scores above the cut score on all sections of the common placement test.~~

Section 12. Subsections (2) and (14) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary



26-00836C-13 20131720

813 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.  
 814 Students who are eligible for dual enrollment pursuant to this  
 815 section may enroll in dual enrollment courses conducted during  
 816 school hours, after school hours, and during the summer term.  
 817 However, if the student is projected to graduate from high  
 818 school before the scheduled completion date of a postsecondary  
 819 course, the student may not register for that course through  
 820 dual enrollment. The student may apply to the postsecondary  
 821 institution and pay the required registration, tuition, and fees  
 822 if the student meets the postsecondary institution's admissions  
 823 requirements under s. 1007.263. Instructional time for dual  
 824 enrollment may vary from 900 hours; however, the school district  
 825 may only report the student for a maximum of 1.0 FTE, as  
 826 provided in s. 1011.61(4). Any student enrolled as a dual  
 827 enrollment student is exempt from the payment of registration,  
 828 tuition, and laboratory fees. Vocational-preparatory  
 829 instruction, developmental education ~~college preparatory~~  
 830 ~~instruction~~, and other forms of precollegiate instruction, as  
 831 well as physical education courses that focus on the physical  
 832 execution of a skill rather than the intellectual attributes of  
 833 the activity, are ineligible for inclusion in the dual  
 834 enrollment program. Recreation and leisure studies courses shall  
 835 be evaluated individually in the same manner as physical  
 836 education courses for potential inclusion in the program.  
 837 (14) The Department of Education shall approve any course  
 838 for inclusion in the dual enrollment program that is contained  
 839 within the statewide course numbering system. However,  
 840 developmental education ~~college preparatory and other forms of~~  
 841 ~~precollegiate instruction~~, and physical education and other

26-00836C-13 20131720

842 courses that focus on the physical execution of a skill rather  
 843 than the intellectual attributes of the activity, may not be so  
 844 approved but must be evaluated individually for potential  
 845 inclusion in the dual enrollment program. This subsection may  
 846 not be construed to mean that an independent postsecondary  
 847 institution eligible for inclusion in a dual enrollment or early  
 848 admission program pursuant to s. 1011.62 must participate in the  
 849 statewide course numbering system developed pursuant to s.  
 850 1007.24 to participate in a dual enrollment program.  
 851 Section 13. Section 1008.02, Florida Statutes, is created  
 852 to read:  
 853 1008.02 Definitions.—As used in this chapter, the term:  
 854 (1) "Accelerated course structure" means a course or strand  
 855 of study that accelerates the progress of students in  
 856 developmental education through self-paced attainment of  
 857 specific skills.  
 858 (2) "Corequisite education" means developmental education  
 859 that is deployed through a variety of classroom, online, or  
 860 blended instructional strategies and offered concurrently with  
 861 college credit instruction. The term includes, but is not  
 862 limited to:  
 863 (a) Compressed or modularized instruction or coaching that  
 864 supplements credit instruction.  
 865 (b) Embedded content in a modified or extended credit-  
 866 bearing course intended to contextualize or accelerate credit  
 867 attainment.  
 868 (3) "Developmental education" means instruction through  
 869 which a high school graduate who applies for any college credit  
 870 program may attain the communication and computation skills

26-00836C-13 20131720

871 necessary to successfully complete college credit instruction.  
 872 Developmental education may not be offered as a noncredit course  
 873 for which a student pays tuition but must be offered corequisite  
 874 to a gateway course.

875 (4) "Gateway course" means the first course that provides  
 876 transferable, college-level credit allowing students to progress  
 877 in their program of study.

878 (5) "Mastery-based education" means customized, targeted  
 879 instruction that addresses specific skills gaps.

880 (6) "Meta-major" means a collection of programs of study or  
 881 academic discipline groupings that share common foundational  
 882 skills.

883 Section 14. Section 1008.30, Florida Statutes, is amended  
 884 to read:

885 1008.30 Common placement testing for public postsecondary  
 886 education.—

887 (1) The State Board of Education, in conjunction with the  
 888 Board of Governors, shall develop and implement a common  
 889 placement test for the purpose of assessing the basic  
 890 computation and communication skills of students who intend to  
 891 enter a degree program at any public postsecondary educational  
 892 institution. Alternative assessments that may be accepted in  
 893 lieu of the common placement test shall also be identified in  
 894 rule. Public postsecondary educational institutions shall  
 895 provide appropriate modifications of the test instruments or  
 896 test procedures for students with disabilities.

897 (2) By October 1, 2013, the State Board of Education in  
 898 conjunction with the Board of Governors shall approve a series  
 899 of meta-majors, academic pathways, and degree maps that identify

26-00836C-13 20131720

900 the gateway courses required for success in each meta-major.  
 901 Results from the common placement test, the alternative  
 902 assessments that may be used in lieu of the common placement  
 903 test, and achievements that may be considered by institutional  
 904 boards of trustees, as adopted by state board rule, shall be  
 905 used to diagnose a student's readiness for his or her chosen  
 906 meta-major and to provide academic counseling to the student  
 907 concerning options for attaining the necessary skills through  
 908 developmental education while enrolled in credit courses.

909 (3)(2) The common placement testing program must shall  
 910 include at a minimum the following: the capacity to diagnose  
 911 basic competencies in the areas of English, reading, and  
 912 mathematics which are essential for success in meta-majors and  
 913 to provide to perform college level work, prerequisite skills  
 914 that relate to progressively advanced instruction in  
 915 mathematics, such as algebra and geometry, prerequisite skills  
 916 that relate to progressively advanced instruction in language  
 917 arts, such as English composition and literature, and provision  
 918 of test information to students on the specific skills the  
 919 student needs to attain deficiencies.

920 (4)(3) The State Board of Education shall adopt rules that  
 921 require high schools to evaluate before the beginning of grade  
 922 12 the college readiness of each student who scores at Level 2  
 923 or Level 3 on the reading portion of the grade 10 FCAT Reading  
 924 or Level 2, Level 3, or Level 4 on the Algebra I mathematics  
 925 assessments under s. 1008.22 or 1008.22(3)(c). High schools  
 926 shall perform this evaluation using results from the  
 927 corresponding component of the common placement test prescribed  
 928 in this section, or an alternative equivalent test identified by

26-00836C-13

20131720

the State Board of Education. ~~The State Board of Education shall identify in rule the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a Florida College System institution within 2 years of achieving such scores shall not be required to retest or enroll in remediation when admitted to any Florida College System institution.~~ The high school shall use the results of the test to advise the students of any identified deficiencies and to provide 12th grade students, and require them to complete, appropriate postsecondary preparatory instruction prior to high school graduation. The curriculum provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida's Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary reading, mathematics, or writing preparatory course unless the elective course covers the same competencies included in the postsecondary reading, mathematics, ~~or~~ writing, or English language arts preparatory course.

(5)(4)(a) The State Board of Education shall establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work. Students who demonstrate readiness by achieving or exceeding the test scores established by the state board and enroll in a Florida College System institution within 2 years after achieving such scores

26-00836C-13

20131720

may not be required to retest or complete developmental education when admitted to any Florida College System institution. Students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college preparatory or other adult education pursuant to s. 1004.93 in Florida College System institutions to develop needed college-entry skills. The State Board of Education shall specify by rule provisions for alternative remediation opportunities and retesting policies. These students shall be permitted to take courses within their degree program concurrently in other curriculum areas for which they are qualified while enrolled in college preparatory instruction courses. A student enrolled in a college preparatory course may concurrently enroll only in college credit courses that do not require the skills addressed in the college preparatory course. A degree-seeking student who is required to complete a college preparatory course must successfully complete the required college preparatory studies by the time the student has accumulated 12 hours of lower-division college credit degree coursework; however, a student may continue enrollment in degree earning coursework provided the student maintains enrollment in college preparatory coursework for each subsequent semester until college preparatory coursework requirements are completed, and provided the student demonstrates satisfactory performance in degree-earning coursework. A student who has accumulated 12 college credit hours and has not yet demonstrated proficiency in the basic competency areas of reading, writing, and mathematics must be advised in writing of the requirements for associate degree completion and state university admission, including information

26-00836C-13 20131720

~~about future financial aid eligibility and the potential costs of accumulating excessive college credit as described in s. 1009.286. Before a student is considered to have met basic computation and communication skills requirements, the student must demonstrate successful mastery of the required developmental education competencies as defined in State Board of Education rule. Credit awarded for college preparatory instruction may not be counted toward fulfilling the number of credits required for a degree.~~

~~(6)(b)~~ A university board of trustees may contract with a Florida College System institution board of trustees for the Florida College System institution to provide developmental education ~~such instruction~~ on the state university campus. Any state university in which the percentage of incoming students requiring developmental education ~~college preparatory instruction~~ equals or exceeds the average percentage of such students for the Florida College System may offer such developmental education ~~college preparatory instruction~~ without contracting with a Florida College System institution; however, any state university offering college-preparatory instruction as of January 1, 1996, may continue to provide such services.

~~(7)(a)(5)~~ The State Board of Education shall adopt rules by January 1, 2014, to implement developmental education. The rules must include:

1. Student achievements that may be considered by institutional boards, such as performance on college placement tests, grade point averages, work history, military experience, career interests, degree major declaration, or any combination thereof.

26-00836C-13 20131720

2. Recommended options for students performing at levels indicating adult education as an appropriate place for students to develop needed college-entry academic skills.

3. Sufficient flexibility for local professional judgment and determinations of appropriate student options for achieving necessary skills.

4. Limits on credit course enrollment for students indicating the need for preparatory assistance in two or more content areas.

(b) Local policies and practices set by each Florida College System institution board of trustees must outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option. Instructional options must, at a minimum, provide for enrollment of a student in a credit course either with or without institutionally required corequisite education, mastery-based instruction or accelerated pathways for developing skills, or enrolling in adult education to attain needed skills, as chosen by the student. Policies and practices must specify limits on credit course enrollment for students indicating the need for preparatory assistance, outline retesting requirements, and identify options for students who choose to attain skills in adult education when such instruction is not provided by the Florida College System institution ~~A student may not be enrolled in a college credit mathematics or English course on a dual enrollment basis unless the student has demonstrated adequate precollegiate preparation on the section of the basic~~

26-00836C-13

20131720

1045 ~~computation and communication skills assessment required~~  
 1046 ~~pursuant to subsection (1) that is appropriate for successful~~  
 1047 ~~student participation in the course.~~

1048 Section 15. Section 1008.322, Florida Statutes, is created  
 1049 to read:

1050 1008.322 Board of Governors oversight enforcement  
 1051 authority.-

1052 (1) The Board of Governors of the State University System  
 1053 shall oversee the performance of state university boards of  
 1054 trustees in the enforcement of laws, rules, and regulations.  
 1055 State university boards of trustees shall be primarily  
 1056 responsible for compliance with laws and Board of Governors'  
 1057 rules and regulations.

1058 (2) The Board of Governors' constitutional authority to  
 1059 operate, regulate, control, and be fully responsible for the  
 1060 management of the State University System mandates that the  
 1061 state universities comply with all requests by the Board of  
 1062 Governors for information, data, and reports. State university  
 1063 presidents are responsible for the accuracy of the information  
 1064 and data reported to the Board of Governors.

1065 (3) The Chancellor of the State University System may  
 1066 investigate allegations of noncompliance with law or Board of  
 1067 Governors' rule or regulation and determine probable cause. The  
 1068 chancellor shall report determinations of probable cause to the  
 1069 Board of Governors, which may require the university board of  
 1070 trustees to document compliance with law or Board of Governors'  
 1071 rule or regulation.

1072 (4) If the university board of trustees cannot  
 1073 satisfactorily document compliance, the Board of Governors may

26-00836C-13

20131720

1074 order compliance within a specified timeframe.

1075 (5) If the Board of Governors determines that a state  
 1076 university board of trustees is unwilling or unable to comply  
 1077 with law or Board of Governors' rule or regulation or an audit  
 1078 recommendation within the specified time, the Board of  
 1079 Governors, in addition to actions constitutionally authorized,  
 1080 may initiate any of the following actions:

1081 (a) Withhold the transfer of state funds, discretionary  
 1082 grant funds, discretionary lottery funds, or any other funds  
 1083 appropriated to the Board of Governors by the Legislature for  
 1084 disbursement to the state university until the university  
 1085 complies with the law or Board of Governors' rule or regulation.

1086 (b) Declare the state university ineligible for competitive  
 1087 grants disbursed by the Board of Governors.

1088 (c) Require monthly or periodic reporting on the situation  
 1089 related to noncompliance until it is remedied.

1090 (d) Report to the Legislature that the state university is  
 1091 unwilling or unable to comply with law or Board of Governors'  
 1092 rule or regulation and recommend action to be taken by the  
 1093 Legislature.

1094 (6) This section does not create a private cause of action  
 1095 or create any rights for individuals or entities in addition to  
 1096 those provided elsewhere in law, rule, or regulation.

1097 Section 16. Subsection (2) of section 1008.37, Florida  
 1098 Statutes, is amended to read:

1099 1008.37 Postsecondary feedback of information to high  
 1100 schools.-

1101 (2) No later than November 30 of each year, the  
 1102 Commissioner of Education shall report, by high school, to the

26-00836C-13

20131720\_\_

State Board of Education, the Board of Governors, and the Legislature, ~~no later than November 30 of each year,~~ on the number of ~~prior-year prior-year~~ Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term. ~~The report must include, indicating~~ the number of students whose scores on the common placement test ~~that is~~ required under s. 1008.30, indicate ~~indicated~~ the need to attain communication and computation skills through developmental education options offered by a public postsecondary institution or through ~~for remediation through college preparatory or~~ vocational-preparatory instruction pursuant to s. 1004.91 or s. 1008.30.

Section 17. Paragraph (a) of subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3) (a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in vocational-preparatory instruction shall be charged fees equal to the fees charged for adult general education programs. ~~Each Florida College System institution that conducts college preparatory and vocational preparatory instruction in the same class section may charge a single fee for both types of instruction.~~

Section 18. Subsection (1), paragraph (a) of subsection (3), and subsection (10) of section 1009.23, Florida Statutes, are amended to read:

26-00836C-13

20131720\_\_

1009.23 Florida College System institution student fees.—

(1) Unless otherwise provided, this section applies only to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33, for developmental education ~~noncollege credit college preparatory courses~~ defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.

(3) (a) Effective July 1, 2011, for advanced and professional, postsecondary vocational, ~~college preparatory,~~ and educator preparation institute programs, the standard tuition is ~~shall be~~ \$68.56 per credit hour for residents and nonresidents, and the out-of-state fee is ~~shall be~~ \$205.82 per credit hour.

(10) Each Florida College System institution board of trustees is authorized to establish a separate fee for technology, which may not exceed 5 percent of tuition per credit hour or credit-hour equivalent for resident students and may not exceed 5 percent of tuition and the out-of-state fee per credit hour or credit-hour equivalent for nonresident students. Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty. The technology fee may ~~apply to both college credit and college preparatory instruction and~~ shall not be included in any award under the Florida Bright Futures Scholarship Program. Fifty percent of technology fee revenues may be pledged by a Florida College System institution board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the

26-00836C-13 20131720

asset being financed. Revenues generated from the technology fee may not be bonded.

Section 19. Subsection (11) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(11) A Florida College System institution that offers a baccalaureate degree for state residents for which the cost of tuition and specified fees does not exceed \$10,000 for the entire degree program may waive any portion or all of the following fees for that degree: tuition, the activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and the distance-learning fee. The Legislature encourages colleges to include at least one industry certification from the Postsecondary Industry Certification Funding List in a degree program for which such waivers are granted.

Section 20. Section 1009.28, Florida Statutes, is repealed.

Section 21. Section 1009.285, Florida Statutes, is amended to read:

1009.285 Fees for repeated enrollment in college-credit courses.—A student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time under s. 1008.30, ~~must twice shall~~ pay tuition at 100 percent of the full cost of instruction, ~~and may not be and shall not be~~ included in calculations of full-time equivalent enrollments for state funding purposes. However, students who withdraw or fail a class due to extenuating circumstances may be granted an exception only once for each class ~~if, provided~~ that approval is granted

26-00836C-13 20131720

according to policy established by the Florida College System institution board of trustees or the university board of trustees. Each Florida College System institution and state university may review and reduce fees paid by students due to continued enrollment in a college-credit class on an individual basis contingent upon the student's financial hardship. For purposes of this section, first-time enrollment in a class means ~~shall mean~~ enrollment in a class beginning fall semester 1997, and calculations of the full cost of instruction ~~is shall be~~ based on the systemwide average of the prior year's cost of undergraduate programs for the Florida College System institutions and the state universities. Boards of trustees may make exceptions to this section for individualized study, elective coursework, courses that are repeated as a requirement of a major, and courses that are intended as continuing over multiple semesters, excluding the repeat of coursework more than ~~once two times~~ to increase grade point average or meet minimum course grade requirements.

Section 22. Paragraph (g) of subsection (4) of section 1009.286, Florida Statutes, is amended to read:

1009.286 Additional student payment for hours exceeding baccalaureate degree program completion requirements at state universities.—

(4) For purposes of this section, credit hours earned under the following circumstances are not calculated as hours required to earn a baccalaureate degree:

(g) ~~Remedial and~~ English as a Second Language credit hours.

Section 23. Subsection (3) of section 1009.40, Florida Statutes, is amended to read:

26-00836C-13

20131720

1219 1009.40 General requirements for student eligibility for  
1220 state financial aid awards and tuition assistance grants.—

1221 (3) Undergraduate students are eligible to receive  
1222 financial aid for a maximum of 8 semesters or 12 quarters.

1223 However, undergraduate students participating in developmental  
1224 education and college preparatory instruction, ~~students~~  
1225 ~~requiring additional time to complete the college-level~~  
1226 ~~communication and computation skills testing programs, or~~  
1227 students enrolled in a 5-year undergraduate degree program are  
1228 eligible to receive financial aid for a maximum of 10 semesters  
1229 or 15 quarters.

1230 Section 24. Subsection (10) of section 1009.53, Florida  
1231 Statutes, is amended to read:

1232 1009.53 Florida Bright Futures Scholarship Program.—

1233 (10) Funds from any scholarship within the Florida Bright  
1234 Futures Scholarship Program may not be used to pay for  
1235 developmental education ~~remedial or college preparatory~~  
1236 ~~coursework~~.

1237 Section 25. Subsection (7) of section 1009.531, Florida  
1238 Statutes, is repealed.

1239 Section 26. Paragraph (b) of subsection (1) and subsection  
1240 (5) of section 1011.84, Florida Statutes, are amended to read:

1241 1011.84 Procedure for determining state financial support  
1242 and annual apportionment of state funds to each Florida College  
1243 System institution district.—The procedure for determining state  
1244 financial support and the annual apportionment to each Florida  
1245 College System institution district authorized to operate a  
1246 Florida College System institution under the provisions of s.  
1247 1001.61 shall be as follows:

26-00836C-13

20131720

1248 (1) DETERMINING THE AMOUNT TO BE INCLUDED IN THE FLORIDA  
1249 COLLEGE SYSTEM PROGRAM FUND FOR THE CURRENT OPERATING PROGRAM.—

1250 (b) The allocation of funds for Florida College System  
1251 institutions ~~is shall be~~ based on advanced and professional  
1252 disciplines, developmental education ~~college preparatory~~  
1253 ~~programs~~, and other programs for adults funded pursuant to s.  
1254 1011.80.

1255 (5) REPORT OF DEVELOPMENTAL ~~REMEDIAL~~ EDUCATION.—Each  
1256 Florida College System institution board of trustees shall  
1257 report, as a separate item in its annual cost accounting system,  
1258 the volume and cost of developmental education options provided  
1259 to help students attain the communication and computation skills  
1260 that are essential for college-level work pursuant to s. 1008.30  
1261 ~~remedial education activities as a separate item in its annual~~  
1262 ~~cost accounting system.~~

1263 Section 27. This act shall take effect July 1, 2013.



THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-12-13

Meeting Date

Topic

College Instruction

Bill Number

1726

Name

Wendy Dodge

Amendment Barcode

784732

(if applicable)

(if applicable)

Job Title

Director of Govt Affairs

Address

PO BOX 391

Phone

863-838-3631

Street

Bartow

State

FL

Zip

33831

E-mail

wendy.dodge@polk-fl.net

Speaking:

☐

For

☒

Against

☐

Information

Representing

Polk County Schools

Appearing at request of Chair:

☐

Yes

☐

No

Lobbyist registered with Legislature:

☒

Yes

☐

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/12/13  
Meeting Date

Topic STEAM Zone

Bill Number 1720

Name Wit Ostrenko Ostrenko

Amendment Barcode 226584  
(if applicable)

Job Title CEO / President

Address 4801 E. Fowler Ave.

Phone 813 987 6000

Street

Tampa, FL 33617

City

State

Zip

E-mail wostrenko@mosi.org

Speaking: ☒ For ☐ Against ☐ Information

Representing Museum of Science & Industry (Tampa)

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

*While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.*

**This form is part of the public record for this meeting.**

S-001 (10/20/11)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/12/13

Meeting Date

Topic STUDENT ACCESS TO RIGOROUS CLASSES Bill Number 1720  
Name JOHN ATKINSON Amendment Barcode 632350  
Job Title HIGH SCHOOL PRINCIPAL - PINE RIDGE HIGH - VOLusia (if applicable)  
Address 185 COMMUNITY DRIVE Phone 386-717-9560  
City DEBARY State FL Zip 32713 E-mail jradma@msn.com  
Speaking: ☒ For ☐ Against ☐ Information  
Representing \_\_\_\_\_

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

585

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Sara S. Bradshaw***

is duly appointed a member of the  
**State Board of Education**

for a term beginning on the  
Twenty-Third day of April, A.D., 2012,  
until the Thirty-First day of December, A.D., 2013  
and is subject to be confirmed by the Senate  
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Nineteenth day of June, A.D., 2012.*

*Ken Detzner*

Secretary of State



**RICK SCOTT**  
GOVERNOR

RECEIVED  
2012 APR 23 PM 2:42  
DEPT. OF STATE  
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.01, Florida Statutes:

Mrs. Sara S. Bradshaw  
1345 Dupont Road  
Havana, Florida 32333

as a member of the State Board of Education, subject to confirmation by the Senate.  
This appointment is effective April 23, 2012 for a term ending December 31, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/vh

# QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation.  
The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate.  
Please type or print in blue or black ink.

6-10-12

Date Completed

1. Name: Mrs. Bradshaw Sara "Sally" Salmon  
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: \_\_\_\_\_  
Street Office # City

Post Office Box State Zip Code Area Code/Phone Number  
3. Residence Address: 1345 Dupont Rd. Havana Gadsden  
Street City County  
FL 32333 850-576-3535

Post Office Box State Zip Code Area Code/Phone Number  
Specify the preferred mailing address: Business ☐ Residence ☒ Fax # 850-576-3230  
(optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
<u>1345 Dupont Rd.</u>	<u>Havana, FL</u>	<u>9-1998</u>	<u>present</u>

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
	<u>Arlington, Va</u>	<u>11-1988</u>	<u>3-1991</u>
	<u>Jackson, MS</u>	<u>8-1987</u>	<u>11-1988</u>
	<u>Greenville, MS</u>	<u>6-1987</u>	<u>8-1987</u>
	<u>Washington, DC</u>	<u>1-1985</u>	<u>6-1987</u>

5. Date of Birth: 6-12-65 Place of Birth: Memphis, TN

6. Social Security Number: \_\_\_\_\_

7. Driver License Number: \_\_\_\_\_ State: FL

8. Have you ever used or been known by any other legal name? Yes ☒ No ☐ If "Yes" Explain

Sara Salmon Harrell - previous marriage  
Sara Grace Salmon - maiden name

9. Are you a United States citizen? Yes ☒ No ☐ If "No" explain:

If you are a naturalized citizen, date of naturalization: \_\_\_\_\_

10. Since what year have you been a continuous resident of Florida? 1991

11. Are you a registered Florida voter? Yes ☒ No ☐ If "Yes" list:

A. County of Registration: Gadsden

B. Current Party Affiliation: Republican

12. Education

A. High School: Washington School, Year Graduated: 1983  
(Name and Location) Greenville, MS

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
-----------------	----------------	-------------------------------

<u>Vanderbilt Univ.</u>	<u>1983-1985</u>	
-------------------------	------------------	--

<u>George Washington Univ.</u>	<u>1985-1987</u>	<u>BA</u>
--------------------------------	------------------	-----------

13. Are you or have you ever been a member of the armed forces of the United States? Yes ☐ No ☒ If "Yes" list:

A. Dates of Service: \_\_\_\_\_

B. Branch or Component: \_\_\_\_\_

C. Date & type of discharge: \_\_\_\_\_

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes ☐ No ☐ If "Yes" give details:

Date

Place

Nature

Disposition

No but I was ticketed for running a stop-light  
and the fine may have been more than \$150  
I can't remember. I think this was spring  
2010.

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
---------------------------	------------------	----------------------	----------------------

<u>Committee for a Conservative House CCE</u>	<u>consultant</u>	<u>1-12 / present</u>
<u>Haley PAC</u>	<u>political action committee</u>	<u>adviser 1-11 / 4-11</u>
<u>Repub. Party of FL</u>	<u>political party</u>	<u>adviser 8-10 / 11-10</u>
<u>Mitt Romney for Pres. campaign</u>	<u>adviser</u>	<u>2007 / 2-08</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☐ No ☐  
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment
----------	------------------	----------------------

<u>Chief of Staff</u>	<u>Exec Office of the Governor</u>	<u>1-99 through 1-01</u>
<u>Staff Director</u>	<u>House of Representatives</u>	<u>11-92 through 93</u>
<u>House Minority Office</u>		

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I am a past member of the Florida Board of Education (2003-2004), a former Chairman of a local independent school board (Holy Comforter Episcopal School) and a chairman of that school's strategic planning committee. I have also served as a member of the Head of School search committee.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

and as a member of a local preschool board (Faith Presbyterian). I have a son in public high school.

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

RECEIVED  
FEB 26 2013

COMMITTEE ON  
ETHICS AND ELECTIONS

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes ☐ No ☒ If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes ☒ No ☐ If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government
Board of Education	2003-2004		gubernatorial appointment



B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: monthly

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

Meetings Attended

Meetings Missed

Reason for Absence

I cant remember. Im not aware that I missed many, if any meetings.

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes ☐ No ☒ If "Yes", give details:

Date

Nature of Violation

Disposition

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☒ If "Yes", list:

A. Title of office: \_\_\_\_\_ C. Reason for suspension: \_\_\_\_\_

B. Date of suspension: \_\_\_\_\_ D. Result: Reinstated ☐ Removed ☐ Resigned ☐

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes ☒ No ☐ If "Yes", list:

A. Title of Office: Fr Board of Education

B. Term of Appointment: 2003 - 2004

C. Confirmation results: I was confirmed.

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes ☐ No ☐ If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes ☐ No ☒ If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

License/Certificate  
Title & Number

Original  
Issue Date

Issuing Authority

Disciplinary Action

**RECEIVED**  
**FEB 26 2013**

**COMMITTEE ON**  
**ETHICS AND ELECTIONS**

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

Name of Business

Your Relationship to Business

Business' Relationship to Agency

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes ☐ No ☒

A. Did you receive any compensation other than reimbursement for expenses? Yes ☐ No ☐

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Jane Aurell Menton			
Julie Steinmeyer			
Lyn Stanfield			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held &amp; Term</u>	<u>Date(s) of Membership</u>
nme			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes ☐ No ☒ If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes ☒ No ☐

RECEIVED  
FEB 26 2013

COMMITTEE ON  
ETHICS AND ELECTIONS

## CERTIFICATION

STATE OF FLORIDA, COUNTY OF Leon

Before me, the undersigned Notary Public of Florida, personally appeared

Sara S. Bradshaw

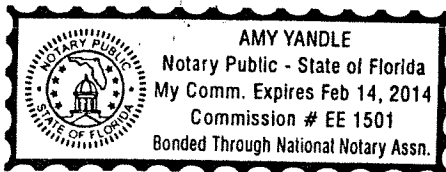
, who, after being duly sworn, says: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Sara S. Bradshaw  
SIGNATURE OF APPLICANT-AFFIANT

Sworn to and subscribed before me

this 26<sup>th</sup> day of February, 2013

Amy Yandle  
SIGNATURE OF NOTARY PUBLIC-STATE OF FLORIDA



Amy Yandle  
(PRINT, TYPE OR STAMP COMMISSIONED NAME OF NOTARY PUBLIC)

My commission expires: Feb. 14, 2014

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

(SEAL)

## **MEMORANDUM**

**AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.**

☐ Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) \_\_\_\_\_

**IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.**

The Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399  
(850) 245-0150

960

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Alan M. Levine***

is duly appointed a member of the

**Board of Governors of the State  
University System**

for a term beginning on the  
Tenth day of January, A.D., 2013,  
until the Sixth day of January, A.D., 2020  
and is subject to be confirmed by the Senate  
during the next regular session of the Legislature.



*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Twenty-Third day of January, A.D., 2013.*

*Ken Detzner*

Secretary of State



**RICK SCOTT**  
GOVERNOR

RECEIVED  
DEPARTMENT OF STATE

2013 JAN 15 PM 4:34

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

January 11, 2013

The Honorable Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Article IX, Sec. 7, FL Constitution:

Mr. Alan M. Levine  
5811 Pelican Bay Boulevard  
Suite 500  
Naples, Florida 34109

as a member of the Board of Governors of the State University System, succeeding Gus A. Stavros, subject to confirmation by the Senate. This appointment is effective January 10, 2013, for a term ending January 6, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/kb

# QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

1-17-2013

Date Completed

1. Name: Mr. Levine Alan M  
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 5811 Pelican Bay Blvd. Suite 500 Naples  
Street Office # City  
Florida 34109 239-598-3131  
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 9095 The Lane Naples Collier  
Street City County  
Florida 34109 850-445-7738  
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business ☐ Residence ☒ Fax # \_\_\_\_\_ (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
2870 Castillo Court	Naples, FL	8/2010	5/2011
3226 Broad Magnolia Ct.	Baton Rouge, LA	3/2008	8/2010
513 Truett Drive	Tallahassee, FL	12/2006	3/2008
6294 Black Fox Way	Tallahassee, FL	1/2004	12/2006
5915 Jaegerglan Drive	Lithia, FL	2/2001	1/2004

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
3226 Broad Magnolia Court	Baton Rouge, LA	3/2008	8/2010

5. Date of Birth: 8/28/67 Place of Birth: Atlanta, Georgia

6. Social Security Number: \_\_\_\_\_

7. Driver License Number: \_\_\_\_\_ Issuing State: Florida

8. Have you ever used or been known by any other legal name? Yes ☐ No ☒ If "Yes" Explain \_\_\_\_\_

RECEIVED  
DEPARTMENT OF STATE  
2013 JAN 22 PM 1:05  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

9. Are you a United States citizen? Yes ☒ No ☐ If "No" explain:

If you are a naturalized citizen, date of naturalization: \_\_\_\_\_

10. Since what year have you been a continuous resident of Florida? 1984

11. Are you a registered Florida voter? Yes ☒ No ☐ If "Yes" list:

A. County of Registration: Leon

B. Current Party Affiliation: Republican

12. Education

A. High School: Admiral Farragut Academy, St. Petersburg Year Graduated: 1985

(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
University of Florida	8/1985 - 5/1990	BS., Health Science Ed
University of Florida	8/1990 - 5/1992	Master of Business Admin
University of Florida	8/1990 - 5/1992	Master of Health Science

13. Are you or have you ever been a member of the armed forces of the United States? Yes ☐ No ☒ If "Yes" list:

A. Dates of Service: \_\_\_\_\_

B. Branch or Component: \_\_\_\_\_

C. Date & type of discharge: \_\_\_\_\_

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes ☐ No ☐ If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
<u>No, not other than occasional traffic violations</u>			

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name &amp; Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
Hospital Mgt Svcs of FL	Hospital Mgt	Sr. VP and Florida President	8/10-Pres
State of LA, Gov. Bobby Jindal		Secretary of Health	1/08-8/10
Broward Health	Hospital System	President/CEO	7/06-1/08
FL Agency for Health Care Administration		Secretary	6/04-7/06

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☒ No ☐  
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
CEO	North Broward Hospital District	7/06-1/08
Secretary	FL Agency for Health Care Administration	6/04-7/06
Deputy Chief of Staff	Governor Jeb Bush	1/03-6/04



17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

As an employer with more than 15,000 associates in Florida, I'm keenly aware of the challenges of growing our employment base, investing in research and growing job opportunity for our young people. As a member of the UF Board of Trustees, I have been directly exposed to the issues of governance and the unique challenge faced by our universities in the face of major transformation of higher ed. My time on the board of the Barbara Bush Foundation for Literacy has also provided insight.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

---

---

---

---

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

---

---

---

---

D. Identify all association memberships and association offices held by you that relate to this appointment:

---

---

---

---

---

---

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes ☐ No ☒ If "Yes", list:

---

---

---

---

---

19. A. Have you ever been elected or appointed to any public office in this state? Yes ☒ No ☐ If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
Secretary	6/04	2 years	State
Board of Trustees	3/11	5 years	State

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Quarterly plus occasional planning meetings

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

Meetings Attended

Meetings Missed

Reason for Absence

I cannot recall specifically, but am fairly certain I have never missed a meeting

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes ☐ No ☒ If "Yes", give details:

Date

Nature of Violation

Disposition

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☒ If "Yes", list:

A. Title of office: \_\_\_\_\_

C. Reason for suspension: \_\_\_\_\_

B. Date of suspension: \_\_\_\_\_

D. Result: Reinstated ☐ Removed ☐ Resigned ☐

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes ☒ No ☐  
If "Yes", list:

A. Title of Office: Secretary

B. Term of Appointment: 2 years

C. Confirmation results: Confirmed

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes ☐ No ☒ If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes ☐ No ☒  
If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

License/Certificate

Original

Title & Number

Issue Date

Issuing Authority

Disciplinary Action/Date

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☒ No ☐ If "Yes", explain:

Name of Business

Your Relationship to Business

Business' Relationship to Agency

As a hospital management company, various subsidiaries have relationships with Medicaid and other state and local training programs, residencies, nurse education, etc. There are no contractual relationships with the BOG that I am aware of.

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☒ No ☐ If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>
-------------------------	--	---	---

My wife is employed by the Collier County Health Department. She is a Nurse by profession.

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes ☒ No ☐

A. Did you receive any compensation other than reimbursement for expenses? Yes ☐ No ☒

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>
Florida Legislature	Executive Office of the Governor
Florida Legislature	AHCA

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Eric Waller			
Jason Rosenberg			
Mike Fencel			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held &amp; Term</u>	<u>Date(s) of Membership</u>
n/a			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes ☐ No ☒ If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes ☒ No ☐

## **MEMORANDUM**

**AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.**

- ☐ Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) \_\_\_\_\_

**IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.**

The Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399  
(850) 245-0150

## CERTIFICATION

RECEIVED  
JAN 23 PM 3:19  
ELECTIONS  
CLERK  
OF STATE

STATE OF FLORIDA, COUNTY OF COLLIER

Before me, the undersigned Notary Public of Florida, personally appeared

ADAM LEVINE  
who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

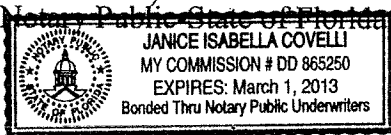
Adam M. Levine

Signature of Applicant-Affiant

Sworn to and subscribed before me this 22<sup>nd</sup> day of January, 2013.

Janice Isabella Covelli

Signature of Notary Public State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: March 1, 2013

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

(seal)

3035

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Chris Corr***

is duly appointed a member of the  
**Board of Trustees,  
University of Florida**  
for a term beginning on the  
Seventh day of March, A.D., 2012,  
until the Sixth day of January, A.D., 2016  
and is subject to be confirmed by the Senate  
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Sixth day of August, A.D., 2012.*

*Ken Detzner*

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



**RICK SCOTT**  
GOVERNOR

RECEIVED  
DEPARTMENT OF STATE  
2012 MAY 11 AM 11:08

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

May 8, 2012

The Honorable Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Christopher T. Corr  
150 North Orange Avenue  
Suite 200  
Orlando, Florida 32801

as a member of the Board of Trustees, University of Florida, succeeding Carlos J. Alfonso, subject to confirmation by the Senate. This appointment is effective March 7, 2012, for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/vh

# QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

July 27, 2012

Date Completed

1. Name: Mr Corr Chris  
Mr./Mrs./Ms. Last First Middle/Maiden
2. Business Address: 150 North Orange Ave Suite 200 Orlando  
Street Office # City  
FL 32801 407-284-4710  
Post Office Box State Zip Code Area Code/Phone Number
3. Residence Address: 230 Burnt Ridge Road Lake Lure Rutherfordton  
Street City County  
NC 28746 407-558-0221  
Post Office Box State Zip Code Area Code/Phone Number
- Specify the preferred mailing address: Business ☒ Residence ☐ Fax # \_\_\_\_\_  
(optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
858 Point La Vista Road	Jacksonville, FL	1999	2012

- B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From
230 Burnt Ridge Road	Lake Lure, NC	2005

5. Date of Birth: 10-20-1963 Place of Birth: Lansing, MI
6. Social Security Number \_\_\_\_\_
7. Driver License Number \_\_\_\_\_ sving State: Florida
8. Have you ever used or been known by any other legal name? Yes ☐ No ☒ If "Yes" Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED  
DEPARTMENT OF STATE  
2012 AUG -1 AM 9:52  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL



9. Are you a United States citizen? Yes ☒ No ☐ If "No" explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you are a naturalized citizen, date of naturalization: \_\_\_\_\_

10. Since what year have you been a continuous resident of Florida? 1965

11. Are you a registered Florida voter? Yes ☒ No ☐ If "Yes" list:

A. County of Registration: Duval B. Current Party Affiliation: Republican

12. Education

A. High School: East Bay, Gibsonton, FL Year Graduated: 1981  
(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
<u>Univ of Florida</u>	<u>1985-86</u>	<u>Bachelor of Arts</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes ☐ No ☒ If "Yes" list:

A. Dates of Service: \_\_\_\_\_

B. Branch or Component: \_\_\_\_\_

C. Date & type of discharge: \_\_\_\_\_

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes ☐ No ☒ If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name &amp; Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
<u>AECOM, 150 North Orange, Orlando</u>	<u>Professional Services</u>	<u>Executive Vice President</u>	<u>2008-present</u>
<u>The St Joe Company, 245 Riverside, Jacksonville</u>	<u>Real Estate</u>	<u>Executive Vice President</u>	<u>1998-2008</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☒ No ☐  
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
<u>State Representative</u>	<u>Florida House of Representatives</u>	<u>1990-92</u>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

Lifelong experience in Florida business and economic development leading successful creative organizations  
including AECOM, The St Joe Company and the Walt Disney Company. Extensive public service and community  
involvement.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes ☐ No ☒  
If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

Board of Governors, State University System of Florida, 2011-2012

Florida Council of 100, Board of Directors, 2009-present

Florida Constitution Revision Commission, 1997-98

Florida House of Representatives, 1990-92

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government?  
Yes ☐ No ☒ If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes ☒ No ☐ If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

<u>Office Title</u>	<u>Date of Election or Appointment</u>	<u>Term of Office</u>	<u>Level of Government</u>
State Representative	1990	1990-92	State Legislative
Florida Constitution Revision Commission	1997	1997-98	State Legislative

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: Monthly or more frequently

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>
regular and excellent attendance		

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes ☐ No ☒ If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☒ If "Yes", list:

A. Title of office: \_\_\_\_\_ C. Reason for suspension: \_\_\_\_\_

B. Date of suspension: \_\_\_\_\_ D. Result: Reinstated ☐ Removed ☐ Resigned ☐

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes ☐ No ☒ If "Yes", list:

A. Title of Office: \_\_\_\_\_

B. Term of Appointment: \_\_\_\_\_

C. Confirmation results: \_\_\_\_\_

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes ☐ No ☒ If "Yes", explain:

\_\_\_\_\_

\_\_\_\_\_

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes ☐ No ☒ If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate</u> <u>Title &amp; Number</u>	<u>Original</u> <u>Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☒ No ☐ If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
AECOM	employee	provider of professional, strategic and technical services

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes ☐ No ☒

A. Did you receive any compensation other than reimbursement for expenses? Yes ☐ No ☐

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
Billy Buzzett			
Peter Rummell			
Steve Halverson			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held &amp; Term</u>	<u>Date(s) of Membership</u>
Florida Council of 100	400 Ashley Dr, Tampa	Board of Directors	2009-present
Urban Land Institute	Washington DC	Council Co-Chair	1990-present
Jacksonville Economic Development Commission	Adams St, Jacksonville	Commissioner	2008-2010

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes ☐ No ☒ If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes ☒ No ☐

## **MEMORANDUM**

**AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.**

☐ Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) \_\_\_\_\_

**IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.**

The Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399  
(850) 245-0150

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Orange

RECEIVED  
DEPARTMENT OF STATE  
2012 AUG -1 AM 9:53  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

Before me, the undersigned Notary Public of Florida, personally appeared

Chris Carr

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

CL

Signature of Applicant-Affiant

Sworn to and subscribed before me this 31 day of July, 2012.

Susan Harmon Wysotski

Signature of Notary Public-State of Florida

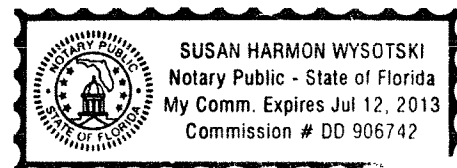
Susan Harmon Wysotski

(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: July 12, 2013

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_



(seal)

3040

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Myron W. Pincomb***

is duly appointed a member of the

**Board of Trustees,  
University of North Florida**

for a term beginning on the

Twenty-Third day of April, A.D., 2012,  
until the Sixth day of January, A.D., 2016  
and is subject to be confirmed by the Senate  
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Seventh day of November, A.D., 2012.*

*Ken Detzner*

Secretary of State



**RICK SCOTT**  
GOVERNOR

RECEIVED  
2012 APR 23 PM 2:54  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Myron W. Pincomb  
24711 Harbour View Drive  
Ponte Vedra, Florida 32082

as a member of the Board of Trustees, University of North Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/vh



# QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate.

Please type or print in blue or black ink.

May 21, 2012

Date Completed  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

2012 JUN -8 AM 11:01

1. Name: Mr Pincomb Myron Warren  
Mr./Mrs./Ms. Last First Middle/Maiden

2. Business Address: 24711 Harbour View Drive Ponte Vedra  
Street Office # City  
FL 32082 904-608-0493  
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: Same As Business Address above  
Street City County

Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business ☒ Residence ☐ Fax # (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
24711 Harbour View Drive	Ponte Vedra FL	Dec 2010	Present
3556 Highland Glen Way	Jacksonville FL	Dec 2002	Dec 2010

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To
NONE			

5. Date of Birth: Place of Birth: Colorado Springs CO

6. Social Security Number:

7. Driver License Number: g State: FL

8. Have you ever used or been known by any other legal name? Yes ☐ No ☒ If "Yes" Explain

9. Are you a United States citizen? Yes ☒ No ☐ If "No" explain:

---

---

---

If you are a naturalized citizen, date of naturalization: \_\_\_\_\_

10. Since what year have you been a continuous resident of Florida? 1990

11. Are you a registered Florida voter? Yes ☒ No ☐ If "Yes" list:

A. County of Registration: St Johns

B. Current Party Affiliation: Republican

12. Education

A. High School: Palmer High School- Colorado Springs CO \_\_\_\_\_ Year  
Graduated: 1988

(Name and Location)

B. List all postsecondary educational institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
----------------------------	-----------------------	--------------------------------------

University Colorado	1989	
---------------------	------	--

University of North Florida	1991- 1995	BS Biology
-----------------------------	------------	------------

13. Are you or have you ever been a member of the armed forces of the United States? Yes ☐ No ☒ If "Yes" list:

A. Dates of Service: \_\_\_\_\_

B. Branch or Component: \_\_\_\_\_

C. Date & type of discharge: \_\_\_\_\_

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes ☐ No ☒ If "Yes" give details:

<u>Date</u>	<u>Place</u>	<u>Nature</u>	<u>Disposition</u>
-------------	--------------	---------------	--------------------

---

---

---

---

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

<u>Employer's Name &amp; Address</u>	<u>Type of Business</u>	<u>Occupation/Job Title</u>	<u>Period of Employment</u>
--------------------------------------	-------------------------	-----------------------------	-----------------------------

The Pincomb Group	Business Consulting	President/CEO	May 2011- Present
-------------------	---------------------	---------------	-------------------

Educational Tools	Educational Software	President/CEO	Jan 2000- May 2011
-------------------	----------------------	---------------	--------------------

---

---

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☐ No ☒  
If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

<u>Position</u>	<u>Employing Agency</u>	<u>Period of Employment</u>
-----------------	-------------------------	-----------------------------

---

---

---

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

Extensive knowledge of education K-20 from classroom to administration

I have built and run several companies in the education space

CEO of companies with over 600 employees

Alumni of University of North Florida

Relationships with K-20 educational agencies all over the United States

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes ☐ No ☐ If "Yes", list:

CODIE- Best Educational Software

CODIE- Best Educational Digital Curriculum

INC 500 top business (Twice)

9<sup>th</sup> Fastest Growing Business in Florida

D. Identify all association memberships and association offices held by you that relate to this appointment:

Current Advisory Board Member- EdNet

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes ☐ No ☒ If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes ☐ No ☒ If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title

Date of Election or Appointment

Term of Office

Level of Government

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: \_\_\_\_\_

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

Meetings Attended

Meetings Missed

Reason for Absence


20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes ☐ No ☒ If "Yes", give details:

Date

Nature of Violation

Disposition


21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☒ If "Yes", list:

A. Title of office: \_\_\_\_\_ C. Reason for suspension: \_\_\_\_\_

B. Date of suspension: \_\_\_\_\_ D. Result: Reinstated ☐ Removed ☐ Resigned ☐

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes ☐ No ☒ If "Yes", list:

A. Title of Office: \_\_\_\_\_

B. Term of Appointment: \_\_\_\_\_

C. Confirmation results: \_\_\_\_\_

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes ☐ No ☒ If "Yes", explain:


24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes ☐ No ☒ If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

License/Certificate

Original

Title & Number

Issue Date

Issuing Authority

Disciplinary Action/Date


25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

Name of Business

Your Relationship to Business

Business' Relationship to Agency


B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes ☐ No ☒

A. Did you receive any compensation other than reimbursement for expenses? Yes ☐ No ☐

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
John Facconetti			
TJ Fraser			
Jason Griggs			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held &amp; Term</u>	<u>Date(s) of Membership</u>
Ponte Vedra Rotary			May 2011 - present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes ☐ No ☒ If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes ☒ No ☐

CERTIFICATION

STATE OF FLORIDA, COUNTY OF DUVAL

Before me, the undersigned Notary Public of Florida, personally appeared

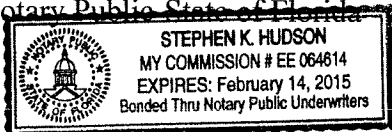
MYRON W PINCOMB

who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

  
Signature of Applicant-Affiant

Sworn to and subscribed before me this 4 day of JUNE, 2012.

  
Signature of Notary Public, State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: 2/14/15

Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FL DL

(seal)

RECEIVED  
DEPARTMENT OF  
**MEMORANDUM** 2012 JUN -8 AM 11:02

DEPARTMENT OF  
DIVISION OF ELECTIONS  
**AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS  
WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH  
MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER,  
THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS  
LAW FOR IDENTIFYING INFORMATION RELATING TO PAST  
AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR  
FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU  
BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW  
APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.**

☐ Yes, I assert that identifying information provided in this application  
should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) \_\_\_\_\_

**IF YOU NEED ADDITIONAL GUIDANCE AS TO THE  
APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION  
TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE  
ATTORNEY GENERAL.**

The Office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399  
(850) 245-0150

3050

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

I, Ken Detzner, Secretary of State,  
do hereby certify that

***Garrett W. Walton***

is duly appointed a member of the

**Board of Trustees,  
University of West Florida**

for a term beginning on the  
Twenty-Third day of April, A.D., 2012,  
until the Sixth day of January, A.D., 2016  
and is subject to be confirmed by the Senate  
during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the  
State of Florida, at Tallahassee, the Capital, this  
the Twenty-Fourth day of October, A.D., 2012.*

*Ken Detzner*

Secretary of State





**RICK SCOTT**  
GOVERNOR

RECEIVED  
2012 APR 23 PM 2:56

DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

April 23, 2012

The Honorable Kenneth W. Detzner  
Secretary of State  
State of Florida  
R. A. Gray Building, Room 316  
500 South Bronough Street  
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Garrett W. Walton  
371 Woodbine Drive  
Pensacola, Florida 32503

as a member of the Board of Trustees, University of West Florida, subject to confirmation by the Senate. This appointment is effective April 23, 2012 for a term ending January 6, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott  
Governor

RS/vh

102025

## QUESTIONNAIRE FOR GUBERNATORIAL APPOINTMENTS

The information from this questionnaire will be used by the Governor's office and, where applicable, The Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in black ink.

11/16/10

Date Completed  
William

1. Name: Mr. Walton Garrett  
MR./MRS./MS. LAST FIRST MIDDLE/MAIDEN

2. Business Address: 150 West Maxwell Street Pensacola  
STREET OFFICE # CITY

13423 FL 32591-3423 (850) 497-7024  
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

3. Residence Address: 371 Woodbine Drive Pensacola Escambia  
STREET CITY COUNTY

FL 32503 (850) 432-4696  
POST OFFICE BOX STATE ZIP CODE AREA CODE/PHONE NUMBER

Specify the preferred mailing address: Business ☐ Residence ☒ Fax # (850) 434-9458  
 (optional)

4. A. List all your places of residence for the last five (5) years.

ADDRESS	CITY & STATE	FROM	TO
371 Woodbine Drive	Pensacola FL	1982	Present

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

ADDRESS	CITY & STATE	FROM	TO
See addendum attached			

5. Date of Birth: 11/14/48 Place of Birth: St. Louis, MO

6. Social Security Number: [REDACTED]

7. Driver License Number: [REDACTED] Issuing State: FLORIDA

8. Have you ever used or been known by any other legal name? Yes ☐ No ☒ If "Yes" Explain

9. Are you a United States citizen? Yes ☒ No ☐ If "No" explain:

If you are a naturalized citizen, date of naturalization: Not Applicable

10. Since what year have you been a continuous resident of Florida? 1977

11. Are you a registered Florida voter? Yes ☒ No ☐ If "Yes" list:

A. County of registration: Escambia

B. Current party affiliation: Republican

12. Education

A. High School: Festus Senior High School, Festus, MO

Year Graduated: 1966

(NAME AND LOCATION)

- B. List all postsecondary educational institutions attended:

NAME & LOCATION

DATES ATTENDED

CERTIFICATES/DEGREES RECEIVED

See addendum attached

13. Are you or have you ever been a member of the armed forces of the United States? Yes ☒ No ☐ If "Yes" list:

A. Dates of service: Approx. 1970-1976

B. Branch or component: Army (National Guard and Reserves)

C. Date & type of discharge: 1976, Honorable

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) If "Yes" give details:

DATE

PLACE

NATURE

DISPOSITION

None

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

EMPLOYER'S NAME & ADDRESS

TYPE OF BUSINESS

OCCUPATION/JOB TITLE

PERIOD OF EMPLOYMENT

Self Employed

Real Estate Investment

1994-July 2010

REBUILD Northwest Florida, Inc. Not for Profit

President

July 2010 - Present

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes ☐ No ☒ If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

POSITION

EMPLOYING AGENCY

PERIOD OF EMPLOYMENT

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

I have had a long standing interest in higher education which has accelerated in recent times by reason of regional economic diversification activities born of the "Deepwater Horizon" oil disaster. The analytical methodology I learned from the study and practice of law is pertinent to higher education. With minimal direction I would expect to be up to speed fairly quickly following appointment and in the short term a meaningful contributor to the University of West Florida Board of Trustees.

- B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

None other than the university degrees referenced above.

- C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes ☐ No ☒ If "Yes", list:

- D. Identify all association memberships and association offices held by you that relate to this appointment:

None

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes ☐ No ☒ If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes ☒ No ☐ If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

OFFICE TITLE	DATE OF ELECTION OR APPOINTMENT	TERM OF OFFICE	LEVEL OF GOVERNMENT
1) Member, Esc. Co. Charter Comm.,		Approx. 2001-2003	County
2) Member, Gov. Elect Charlie Crist Original Transition Team		11/06-1/07	State
3) Chairperson, Florida Mlt. Study Comm.		2/07-5-07	State
4) Commissioner, Florida Transportation Comm.		May, 2008 to present	State

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: See (2) below

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

MEETINGS ATTENDED	MEETINGS MISSED	REASON FOR ABSENCE
DE:		
RE: #1 above: Missed 1 of approx. 25 public meetings, Out of Country #2 above: Attended all meetings (daily)		
#3 above: Attended all meetings (6 or 8 public meetings) #4 above: Missed 1 of approx. 16 Meetings, Family Illness		

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes ☐ No ☒ If "Yes", give details:

DATE

NATURE OF VIOLATION

DISPOSITION

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes ☐ No ☒ If "Yes", list:

A. Title of office:  C. Reason for suspension:

B. Date of suspension:  D. Result: Reinstated ☐ Removed ☐ Resigned ☐

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes ☐ No ☒ If "Yes", list:

A. Title of Office:

B. Term of Appointment:

C. Confirmation results:

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes ☐ No ☒ If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes ☐ No ☐ If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

LICENSE/CERTIFICATE

ORIGINAL

TITLE & NUMBER

ISSUE DATE

ISSUING AUTHORITY

DISCIPLINARY ACTION/DATE

#227781

1977

Florida Bar Association

None

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

NAME OF BUSINESS

YOUR RELATIONSHIP TO BUSINESS

BUSINESS' RELATIONSHIP TO AGENCY

- B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes ☐ No ☒ If "Yes", explain:

NAME OF BUSINESS	FAMILY MEMBER'S RELATIONSHIP TO YOU	FAMILY MEMBER'S RELATIONSHIP TO BUSINESS	BUSINESS' RELATIONSHIP TO AGENCY

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes ☒ No ☐

A. Did you receive any compensation other than reimbursement for expenses? Yes ☒ No ☐

B. Name of agency or entity you lobbied and the principal(s) you represented:

AGENCY LOBBIED	PRINCIPAL REPRESENTED
Florida Legislature	The Lewis Bear Company

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

NAME	MAILING ADDRESS	ZIP CODE	AREA CODE/PHONE NUMBER
Walter J. ("Buzz") Ritchie			
Eric Nickelsen			
Richard R. Baker			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

NAME	MAILING ADDRESS	OFFICE(S) HELD & TERM	DATE(S) OF MEMBERSHIP
See addendum attached			

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes ☐ No ☒ If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes ☒ No ☐

## CERTIFICATION

### STATE OF FLORIDA, COUNTY OF Escambia

Before me, the undersigned Notary Public of Florida, personally appeared GARRETT W. WALTON, who, after being duly sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

Garrett W. Walton

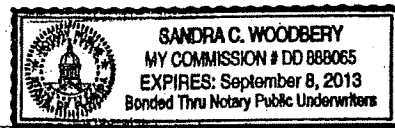
Signature of Applicant-Affiant

Sworn to and subscribed before me

this 16<sup>th</sup> day of November, 20 10.

Sandra C. Woodbery

Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: \_\_\_\_\_

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced \_\_\_\_\_

(seal)

11/16/2010

Addendum Attached to  
GUBERNATORIAL APPOINTMENT QUESTIONNAIRE  
of  
GARRETT W. WALTON

- 4.B. List all of your former and current residences outside of Florida that you have maintained at any time during adulthood.

<u>Address</u>	<u>City &amp; State</u>	<u>From - To</u>
Siesta Key	Sarasota, FL	Summer, 1969
Gravois Road	Sappington, MO	Fall, 1969 - Fall, 1970
West Main Street	Festus, MO	Fall, 1970 - 9/73
Woodstock Rolling Estates	Columbia, MO	9/73 - 12/75
Hayden Hall	New York, NY	1/76 - 1/77

- 12.B. List all postsecondary educational institutions attended:

<u>Name &amp; Location</u>	<u>Dates Attended</u>	<u>Certificates/Degrees Received</u>
Jefferson College, Hillsboro, MO	Summer, 1966	None
Washington University, St. Louis, MO	Fall, 1966, 1967	None
University of Missouri, Columbia, MO	Winter, 1968-Fall, 1969	None
University of Missouri, Columbia, MO	Fall, 1973-December, 1975	B.S. and J.D.
New York University, New York, NY	Winter and Fall, 1976	LL.M. (tax)

28. Name any business, professional, occupational, civic, and or fraternal organization(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and the date(s) of your membership.

<u>Name</u>	<u>Mailing Address</u>	<u>Offices(s) Held/Term</u>	<u>Dates of Membership</u>
Florida Bar Assoc.	651 East Jefferson Street Tallahassee, FL 32399-2300	Member	1977-Present
Missouri Bar Assoc.	326 Monroe Street Jefferson City, MO 65102-0119	Member	1977-Present
American Bar Assoc.	740 15 <sup>th</sup> Street, N.W. Washington, DC	Member	1977-Present
Homebuilders Assoc of West FL	4400 Bayou blvd. Ste 45 Pensacola, FL 32501	Member, Director and President	Approx. 199-Present
REBUILD Northwest FL	150 West Maxwell Street Pensacola, FL 32501	Volunteer full-time Co-Executive Dir., President, Chairman, Trustee	2004-Present
Naval Aviation Museum Found.	1750 Radford Blvd Pensacola, FL	Trustee	Approx. 1992-2005
Heron's Forest Development Co.	3 West Garden St. #394 Pensacola, FL	Principal	1995-Present
Heron's Forest Tree Farm	3 West Garden St, #394 Pensacola, FL	Principal	2001-2009
Northwest Florida Mtg. Co.	3 West Garden St, #394 Pensacola, FL	Principal	1994-2009
Centurion Properties	3 West Garden St, #394 Pensacola, FL	Principal	1980-2008
Northwood Properties	8494 Navarre Parkway Navarre, FL	Principal	1983-2007
Axtel Development Corp.	3 West Garden St, #394 Pensacola, FL	Principal	1979-2008



11/16/2010

Navarre Properties	3 West Garden St, #394 Pensacola, FL	Principal	1994-Present
Tiger Point Entrance, Inc.	17 West cedar Street #3 Pensacola, FL	Principal	1984-Present
<del>Bridgewater Properties, Inc.</del>	<del>3 West Garden St, #394 Pensacola, FL</del>	<del>Principal</del>	<del>1985-2008</del>
Yellow River Ranch, LLC	3 West Garden St, #394 Pensacola, FL	Principal	2008-present

## MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS, WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC...IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.



Yes, I assert that identifying information provided in this application should be excluded from inspection under Public Records Law. Please indicate what section of Florida Statutes provides this in your particular situation.

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The office of the Attorney General  
PL-01, The Capitol  
Tallahassee, Florida 32399  
(850) 487-1963

# CourtSmart Tag Report

**Room:** KN 412  
**Caption:** Senate Education Committee

**Case:**  
**Judge:**

**Type:**

**Started:** 3/12/2013 2:02:33 PM

**Ends:** 3/12/2013 3:56:42 PM

**Length:** 01:54:10

2:02:37 PM Metting called to order  
2:02:47 PM Roll call  
2:02:55 PM Opening Comments by Chairman Legg  
2:03:16 PM SB 680 - Senator Evers  
2:03:43 PM Molly Caddell, Legislative Assistant to present the bill  
2:04:38 PM SB 680 - Passes  
2:05:10 PM SB 454 - Senator Benacquisto  
2:05:22 PM Dane Bennett, Legislative Aide to present the bill  
2:06:12 PM Amendment #745398  
2:06:27 PM Senator Galvano questioning  
2:06:35 PM Dane Bennett responding  
2:07:07 PM Senator Montford questioning  
2:07:56 PM Amendment - Adopted  
2:08:07 PM Senator Brandes questioning  
2:08:50 PM SB 454 - Passes  
2:09:42 PM SB 920 - Senator Detert  
2:09:59 PM Charlie Anderson, Legislative Aide to present the bill  
2:10:21 PM Proposed Committee Substitute - by Detert #466020  
2:10:48 PM Charlie Anderson to present the PCS  
2:11:05 PM Senator Montford questioning  
2:12:56 PM Senator Bullard questioning  
2:15:20 PM Senator Bullard debating  
2:16:10 PM Senator Sachs commenting  
2:16:59 PM Senator Montford commenting  
2:17:50 PM Motion adopted  
2:18:00 PM CS/SB 920 - Passes  
2:18:22 PM SB 514 - Senator Sobel  
2:26:01 PM Senator Benacquisto debates  
2:27:57 PM Senator Brandes debating  
2:28:38 PM Senator Bullard debating  
2:30:02 PM Senator Montford debates  
2:31:41 PM Senator Sachs debating  
2:32:43 PM Senator Galvano commenting  
2:33:44 PM Senator Sobel to close the bill  
2:36:06 PM SB 514 - Passes  
2:36:39 PM SB 1720 - Senator Galvano  
2:39:51 PM Amendment 1 #784732 - Senator Galvano  
2:41:16 PM Wendy Dodge - Director of Government Affairs, Polk County School Board  
2:42:52 PM Amendment - Adopted  
2:42:57 PM Amendment 2 #428328 - Senator Galvano  
2:43:15 PM Amendment Adopted  
2:43:20 PM Amendment 3 # 226584 - Senator Legg  
2:43:45 PM Senator Sachs questioning  
2:47:42 PM Amendment - Adopted  
2:47:54 PM Amendment 4 - Senator Montford  
2:48:08 PM Amendment 4 #632350 - Senator Montford  
2:49:20 PM Senator Legg commenting  
2:49:33 PM John Atkinson - High School Principal  
2:50:29 PM Amendment - Adopted  
2:50:39 PM Senator Bullard questioning  
2:51:07 PM Senator Galvano responding  
2:53:18 PM Senator Sachs debating

2:55:04 PM	Senator Bullard debating
2:56:37 PM	Senator Galvano to close the bill
2:57:44 PM	Motion Adopted
2:57:51 PM	CS/SB 1720 - Passes
2:58:14 PM	SB 626 - Senator Bullard
2:58:33 PM	Motion Adopted
2:58:42 PM	Proposed Committee Substitute #422942 - Senator Bullard
2:59:18 PM	Amendment to Amendment 1 #889894
2:59:36 PM	Amendment - Adopted
2:59:40 PM	Amendment to Amendment 2 #670634
2:59:54 PM	Amendment - Adopted
3:00:00 PM	Amendment to Amendment 3 #133064
3:00:05 PM	Amendment - Adopted
3:00:11 PM	Amendment to Amendment 4 #709272
3:00:20 PM	Amendment - Adopted
3:00:27 PM	Amendment to Amendment 5 #882012
3:00:39 PM	Amendment - Adopted
3:01:17 PM	Jay Jefferson - Miami-Dade PTA/PTSA
3:02:46 PM	Bob Harris - Panhandle Area Education
3:10:04 PM	Senator Simmons questioning
3:14:18 PM	Senator Sachs questioning
3:19:24 PM	Senator Brandes questioning
3:20:18 PM	Senator Benacquisto questioning
3:21:25 PM	Senator Legg questioning
3:27:12 PM	Senator Simmons questioning
3:31:22 PM	Graham Rabinowitsch - Florida PTA
3:32:03 PM	Senator Montford debating
3:36:12 PM	Senator Galvano commenting
3:37:07 PM	Senator Brandes commenting
3:38:28 PM	Senator Simmons commenting
3:40:30 PM	Senator Sachs commenting
3:42:11 PM	Senator Benacquisto commenting
3:44:15 PM	Senator Legg commenting
3:46:19 PM	Senator Bullard to close the bill
3:50:15 PM	Motion Adopted
3:50:21 PM	CS/SB 626 - Passes
3:50:53 PM	SB 284 - Senator Negrón
3:51:55 PM	Senator Montford questioning
3:53:07 PM	Senator Bullard questioning
3:53:59 PM	Senator Negrón to close the bill
3:54:07 PM	SB 284 - Passes
3:55:06 PM	Senator Sachs - Motion Adopted
3:55:49 PM	Meeting adjourned